



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
Washington, D.C. 20460

MAR 14 2013

OFFICE OF
GENERAL COUNSEL

MEMORANDUM

SUBJECT: Approval of Outside Activity

FROM: Justina Fugh *Justina Fugh*
Alternate Designated Agency Ethics Official

TO: [FOIA Ex. 6]
Regional Administrator
Region VII

I am writing in response to your request of February 20, 2013, to engage in outside activity. You have been invited to write a chapter in a book to be published by [FOIA Ex. 6] and entitled "The Guide to U.S. Environmental Policy." You indicate that your chapter will be about American environmental policy during the postwar period (1945-1990). That period in part predates the creations of EPA, and you state that you foresee limited discussion of EPA in your chapter. You indicate that compensation is offered, though you will be willing to forego it if necessary.

APPROVAL OF THE OUTSIDE ACTIVITY

I determine that you may accept this opportunity to write the chapter, but caution you against accepting any compensation. Because you are appointed to a non-career SES position, you are prohibited by 5 C.F.R. § 2635.807(a)(2)(E)(3) from accepting compensation for any teaching, speaking or writing that relates to "the general subject matter area, industry, or economic sector primarily affected by the programs and operations of [your] agency." Because the subject matter of environmental policy is generally related to your official duties, you must decline the honorarium and any other form of compensation other than a few copies of the final book.

REFERENCE TO OFFICIAL POSITION

Because you will be engaging in this activity in your individual and personal capacity, you cannot make reference to your EPA position and title alone. If you refer to EPA at all, you must do so as one of several biographical details, ensuring that EPA does not have any undue prominence. In addition, we recommend that if you refer to your EPA position at all, then you must also include a prominent disclaimer that the views expressed are yours alone and not necessarily those of the Agency or the United States Government and that you are writing in your personal capacity only. 5 C.F.R. § 2635.807(a)(3)(b). You should also advise the publisher not to use your EPA position or title to advertise or market the book.

MISUSE OF POSITION

Please also bear in mind that you cannot reveal non-public information or disclose information that the Agency considers confidential. 5 C.F.R. § 2635.703. You must conduct this activity on your own time, without use of EPA resources, equipment or subordinates.

CONCLUSION

This approval is specific to your request to write a chapter in a book to be published as described above. Please note that 5 C.F.R. § 6401.103(d) requires you to submit a revised request for approval if there is a change in the nature or scope of the duties or services performed in this outside activity.

While you will have a covered relationship with the other authors and the publisher, I do not expect that there will be instances in which they will interact with you in your official EPA capacity. Therefore, I do not believe you need to revise your existing recusal statement to include them. That said, please remember that you should not engage with either the authors or the publisher as part of your official duties unless and until you first consult with an ethics official.

If you have any questions, please feel free to contact me at 202 564-1786 or contact Kathleen Clever, Assistant Deputy Ethics Official, at 913 551-7293.

Application for Outside Activities

Applicant's Name: [FOIA Ex. 6]
 Thru: JACKIE
 LECLAIR

Office: OEP

Date Submitted: 04/07/2008

Status: ☐ Pending ☐ Rejected
☐ Concurred ☐ Withdrawn
☒ Approved ☐ Other

Status Date: 07/28/2009

Application Memo: <---- Attach Memo

Expiration: 07/28/2014

Conditions Memo:



[FOIA Ex. 6] Conditions Memo <---- Attach Memo

Approval Memo:



[FOIA Ex. 6] Approval.pdf <---- Attach Memo

Please answer all questions:

Enter your current Job Description: Project Officer for DWSRF and CWSRF State Grants, DWSRF Tribal Grants, STAG Grants.

1. Nature of the outside activity/employment, including a full description of the services to be performed:
 Member of External Advisory Board for a European company based in [FOIA Ex. 6] Project would be funded by [FOIA Ex. 6].
2. Amount of compensation expected, if any:
 Compensation for travel costs only. One trip per year. No salary or other compensation.
3. Name and business of the person or organization for which the work will be done (if you will be self-employed, indicate the type of services to be rendered and estimate the number of clients or customers anticipated during the next 6 months):
 [FOIA Ex. 6] [FOIA Ex. 6]
4. Estimated time to be devoted to the activity:
 2-4 days per year
5. Indicate whether the service will be performed entirely outside of normal duty hours; if not, estimate the number of hours of absence from work required:
 2-4 days
6. If the outside activity/employment will include consulting or professional services to institutions which have or may seek federal assistance agreements or contracts, please note the assistance agreements or contracts involved. Include full details of any service which involves preparing grant applications, contract proposals or program reports. Indicate the basis for compensation (e.g. fee, per diem, per annum, etc.):
 No assistance from EPA or other federal government sources that I know of.
7. Describe the basis for compensation (e.g., fee, per diem, per annum, etc.)
 Travel costs paid -- air, hotel, some level of per diem No other funding.
8. Employee Statement:

I have read, am familiar with, and will abide by the restrictions described in 5 CFR part 2635 and § 6401.102. No official duty time or government property, resources or facilities not available to the general public will be used in connection with the outside activity/employment.

☒ Agree ☐ Disagree



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION 1
ONE CONGRESS STREET SUITE 1100
BOSTON, MA 02114-2023

MEMORANDUM

DATE: June 24, 2009

SUBJECT: Permission to Engage in Outside Activity for James Bourne

FROM: LeAnn Jensen 
Senior Assistant Regional Counsel

TO: Ira Leighton
Deputy Ethics Official

CONFIDENTIAL

Attached is a memorandum from James Bourne requesting permission to engage in outside employment to serve as a member of the Mobesens Advisory Board, an external advisory board for CSEM, a European company. Mr. Bourne is a Project Officer for the Drinking Water State Revolving Fund (DWSRF) and the Clean Water State Revolving Fund State Grants, DWSRF Tribal Grants, and the State and Tribal Assistant Grants within the Office of Ecosystem Protection. His work focuses primarily on working with the states to implement the State Revolving Fund programs and award capitalization grants to the states and tribes. Mr. Bourne also reviews these programs to ensure compliance with the requirements of the Clean Water Act and the Safe Drinking Water Act. Most recently, he has been working with states to implement the requirements of the American Recovery and Reinvestment Act.

Mr. Bourne has requested permission to engage in outside employment as a member of the Mobesens Advisory Board for CSEM, a company based in Neuchatel, Switzerland. CSEM is an engineering consulting firm that has been awarded a contract from the European Commission to develop a comprehensive water quality monitoring network which would enable data to be gathered quickly and reported across wide geographical areas. He anticipates that he will engage in this outside activity two to four days per year. Mr. Bourne will be compensated for his airfare, hotel, and per diem costs associated with his annual trip to Switzerland, but will not receive a salary for this activity.

I recommend that Mr. Bourne be permitted to engage in this activity as long as the following conditions are met.

1. The employee must be familiar with the terms of 18 U.S.C. §§ 203, 205 and 208, and the Standards of Ethical Conduct for Employees of the Executive Branch (Standards of Conduct), 5 C.F.R. Part 2635, particularly 5 C.F.R. Part 2635, Subparts G and H (which include Office of

Government Ethics misuse of position and outside activity regulations). He must also be familiar with 5 C.F.R. § 6401.103. The relevant statutes and regulations can be found at <http://www.usoge.gov>.

The employee should consult with me if any questions of propriety arise and he is unsure of how to resolve these questions in conformity with the above-mentioned statutes and regulations. In addition, if there is a change in the nature or scope of his duties in connection with the outside employment, he should promptly submit a revised request for approval to you.

2. The employee must clearly represent that he is performing the outside employment as a private individual and is not representing EPA or the Federal Government
3. The employee may not use or permit the use of his official title or position to identify himself in connection with the outside employment. He may, however, include or permit the inclusion of his EPA title or position as one of several biographical details when such information is given to identify him, provided that his title or position is given no more prominence than other significant biographical details.
4. The employee may not use information obtained as a result of government employment that has not been made available to the general public and would not be made available upon request.
5. The employee is prohibited by criminal statute from directly participating in his official capacity as an EPA employee in any matter that he, his spouse, minor child, partner, or outside employer has a financial interest.
6. Similarly, the employee must take appropriate steps to avoid an appearance of partiality in the performance of his official duties. Thus, if the employee is involved in an EPA matter that could have a direct and predictable effect on the financial interests of a person with whom he has a "covered relationship," and knows that a reasonable person could question his partiality in the matter, he should recuse himself from any participation in the matter or seek authorization to continue his involvement from you.

The definition of the term "covered relationship" includes, among other things, close relatives, persons with whom the employee has or seeks a business, contractual or other financial relationship, and any person for whom the employee has, within the last year, served as a consultant, contractor or employee. 5 C.F.R. § 2635.502 (available at http://www.usoge.gov/pages/laws_regs_fedreg_stats/oge_regs.) Because the relationship between Mr. Bourne and the Mobesens Advisory Board arguably qualifies as a covered relationship, he should recuse himself or seek authorization from you before engaging in EPA matters that involve or affect this external advisory board.

7. The employee must not make use of normal work hours for the intended outside employment. Any time devoted to this activity during normal work hours must be taken as annual leave, compensatory time, or leave without pay, with appropriate approval from his supervisor.
8. The employee may not make use of EPA personnel in performing his outside employment.

Government Ethics misuse of position and outside activity regulations). He must also be familiar with 5 C.F.R. § 6401.103. The relevant statutes and regulations can be found at <http://www.usoge.gov>.

The employee should consult with me if any questions of propriety arise and he is unsure of how to resolve these questions in conformity with the above-mentioned statutes and regulations. In addition, if there is a change in the nature or scope of his duties in connection with the outside employment, he should promptly submit a revised request for approval to you.

2. The employee must clearly represent that he is performing the outside employment as a private individual and is not representing EPA or the Federal Government.
3. The employee may not use or permit the use of his official title or position to identify himself in connection with the outside employment. He may, however, include or permit the inclusion of his EPA title or position as one of several biographical details when such information is given to identify him, provided that his title or position is given no more prominence than other significant biographical details.
4. The employee may not use information obtained as a result of government employment that has not been made available to the general public and would not be made available upon request.
5. The employee is prohibited by criminal statute from directly participating in his official capacity as an EPA employee in any matter that he, his spouse, minor child, partner, or outside employer has a financial interest.
6. Similarly, the employee must take appropriate steps to avoid an appearance of partiality in the performance of his official duties. Thus, if the employee is involved in an EPA matter that could have a direct and predictable effect on the financial interests of a person with whom he has a "covered relationship," and knows that a reasonable person could question his partiality in the matter, he should recuse himself from any participation in the matter or seek authorization to continue his involvement from you.

The definition of the term "covered relationship" includes, among other things, close relatives, persons with whom the employee has or seeks a business, contractual or other financial relationship, and any person for whom the employee has, within the last year, served as a consultant, contractor or employee. 5 C.F.R. § 2635.502 (available at http://www.usoge.gov/pages/laws_regs_fedreg_stats/oge_regs.) Because the relationship between Mr. Bourne and the Mobesens Advisory Board arguably qualifies as a covered relationship, he should recuse himself or seek authorization from you before engaging in EPA matters that involve or affect this external advisory board.

7. The employee must not make use of normal work hours for the intended outside employment. Any time devoted to this activity during normal work hours must be taken as annual leave, compensatory time, or leave without pay, with appropriate approval from his supervisor.
8. The employee may not make use of EPA personnel in performing his outside employment.

9 The employee may not make use of EPA office space or equipment in performing his outside employment except as provided in the April 2, 2004 EPA Order entitled Policy on Limited Personal Use of Government Office Equipment, Classification No. 2100.3 A1, available at <http://intranet.epa.gov/rmpolicy/ads/orders>.

Because the employee's outside employment to serve as a member of an External Advisory Board presents no actual or apparent conflict with his EPA duties, I recommend that this request be approved, provided that he complies with the Standards of Conduct and the above-mentioned conditions. Your approval will be valid for a period of five years. If Mr. Bourne continues to engage in this outside activity beyond this five year approval period, he should promptly submit a revised approval request to you before your current approval elapses.

Requests for approval to engage in outside employment or other activity are confidential and may not be disclosed without the employee's consent except to his immediate supervisor, the Deputy Ethics Official, Designated Agency Ethics Official or his alternate, and staff designated to assist them.

Attachments

cc: James Bourne, Municipal Assistance Unit, Office of Ecosystem Protection
Jackie LeClair, Chief, Municipal Assistance Unit, Office of Ecosystem Protection

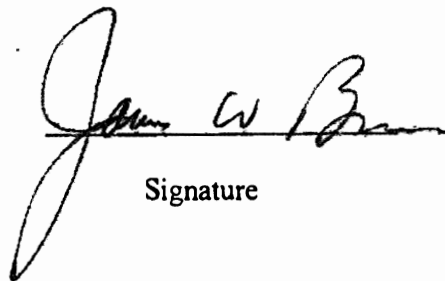
Employee Certification

This is to certify:

1. That no official duty time, government property, resources or facilities not available to the general public will be used in connection with my proposed outside activity;
2. I have read, am familiar with, and will abide by the restrictions described in 5 C.F.R. Part 2635 and Section 6401 102.

7 July 2009

Date



Signature

Application for Outside Activities

Applicant's Name: [FOIA Ex. 6]
Thru: FRED WEEKS

Office: OARM

Date Submitted: 01/22/2013

Status: ☐ Pending ☐ Rejected
☐ Concurred ☐ Withdrawn
☒ Approved ☐ Other

Status Date: 01/22/2013

Application Memo: <---- Attach Memo

Expiration: 01/22/2018

Conditions Memo:



Outside Activity [FOIA Ex. 6] Conditions Memo.pdf <---
Attach Memo

Approval Memo:



Outside Activity [FOIA Ex. 6] Approval pdf <----Attach
Memo

Please answer all questions:

Enter your current Job Description: Manager MCS

1. Nature of the outside activity/employment, including a full description of the services to be performed:
[FOIA Ex. 6] Board of Selectmen
The [FOIA Ex. 6] Board of Selectmen has five members who are elected to serve three year terms, as defined by the Town Charter and the Term of Office Bylaw. The Town Charter, Bylaws, and the General Laws of Massachusetts grant the Selectmen broad powers to govern the Town.

The Selectmen appoint more than 20 boards and committees (permanent and ad hoc). The Selectmen act as the primary policy-making body for a wide variety of issues, which affect the Town's development and provision of services. They recommend the budget to the Annual Town Meeting, approve the reorganization of Town departments; provide oversight for matters in litigation, and act as the licensing authority for a wide variety of licenses and permits. The Selectmen also enact Rules and Regulations for such matters as traffic control, underground wiring and street lighting.
2. Amount of compensation expected, if any:
none
3. Name and business of the person or organization for which the work will be done (if you will be self-employed, indicate the type of services to be rendered and estimate the number of clients or customers anticipated during the next 6 months):
Town of [FOIA Ex. 6] (MA)
4. Estimated time to be devoted to the activity:
20 hours/month
5. Indicate whether the service will be performed entirely outside of normal duty hours; if not, estimate the number of hours of absence from work required:

- All services will be performed entirely outside of normal duty hours.
- 6 If the outside activity/employment will include consulting or professional services to institutions which have or may seek federal assistance agreements or contracts, please note the assistance agreements or contracts involved. Include full details of any service which involves preparing grant applications, contract proposals or program reports. Indicate the basis for compensation (e.g. fee, per diem, per annum, etc.).

To my knowledge, the [FOIA Ex 6] d will not seek consulting or professional services, or assistance agreements or contracts from EPA. If, however, Concord does seek such agreements, I will not be a party to this matter.

7. Describe the basis for compensation (e.g., fee, per diem, per annum, etc.)
n/a

8. **Employee Statement:**

I have read, am familiar with, and will abide by the restrictions described in 5 CFR part 2635 and & 6401.102 No official duty time or government property, resources or facilities not available to the general public will be used in connection with the outside activity/employment.

☒ Agree ☐ Disagree



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION 6
1445 ROSS AVENUE, SUITE 1200
DALLAS, TEXAS 75202 - 2733

Office of the Regional Counsel

January 10, 2013

MEMORANDUM

SUBJECT: Request for Approval of Outside Activity

FROM: Suzanne Murray
Regional Counsel

TO: [FOIA Ex. 6] in
Assistant Regional Counsel (6RC-CE)

This is in response to your written request for approval of outside activity submitted on January 6, 2014. Your current position at EPA is as an attorney representing and advising the Agency in criminal environmental cases. You seek approval to enter into self employment as an Attorney-Mediator. Any work accepted would be mediation between private parties and would not involve the federal government. You estimate that this activity will take approximately zero to ten hours each week and will take place entirely outside your EPA work hours. You agree that no official duty time or Government property, resources, or facilities will be used in the course of your outside activity. You state that your compensation will be based on the average compensation that new mediators can expect in Texas which is [FOIA Ex. 6] per hour for time spent in mediation. You are aware that you cannot represent any client to or before the federal government. You also indicate that you have read and will abide by the restrictions described in 5 C.F.R. Part 2635 and 5 C.F.R. § 6401.102.

Given the nature of your outside activities and your duties here at EPA, it is essential that you continuously monitor the applicability of the Standards of Ethical Conduct to your activities. In evaluating the applicability of the Standards of Ethical Conduct to your activities, please be aware that while you are seeking or otherwise discussing the possibility or the terms of providing legal consultation and advice to a potential client, you are engaged in seeking employment with that client within the meaning of 5 C.F.R., Subpart F, and the rather stringent recusal requirements of Subpart F apply during your discussions. You must also be aware of the provisions of 18 U.S.C. §§ 203 and 205 and your responsibility to avoid violating the restrictions they place on the activities of Federal employees. Also, be particularly mindful of the requirements regarding the use of your government position or title or any authority of your public office to 5 C.F.R. § 2635.702. If you have questions regarding the application of these requirements or any other requirements of the Standards of Conduct or other Federal law governing the conduct of Federal employees to your outside activities, please do not hesitate to contact Ben Harrison or Terry Sykes.

I find that your requested outside employment is not expected to involve conduct prohibited by statute or federal regulations, including 5 C.F.R. Part 2635 and 5 C.F.R. § 6401.102 and, pursuant to 5 C.F.R. § 6401.103, your request is approved. This approval does not include authorization to provide services to persons or organizations with EPA contracts or assistance agreements. If there is a change in the nature or scope of the duties you will perform or the nature of your outside activity, you must submit a revised

request for approval. If you transfer to an organization for which a different Deputy Ethics Official has responsibility, you must obtain approval from the new Deputy Ethics Official. This approval is valid for five years.

cc: Cheryl Seager

Application for Outside Activities

Applicant's Name: [FOIA Ex. 6]
Thru: **TIM WILLIAMSON**

Office: **ORA**

Date Submitted: **12/11/2013**
Status:

Status Date: **12/17/2013**

☐ Pending ☐ Rejected
☐ Concurred ☐ Withdrawn
☒ **Approved** ☐ Other

Application Memo: **<---- Attach Memo**

Expiration: **12/17/2018**

Conditions Memo:



Outside Activity [FOIA Ex. 6] Conditions Memo.pdf <----
Attach Memo

Approval Memo:



Outside Activity [FOIA Ex. 6] Approval.pdf <---- Attach Memo

Please answer all questions:

Enter your current Job Description. Assistant Regional Counsel (Attorney-Advisor)

1. Nature of the outside activity/employment, including a full description of the services to be performed:
Research and draft an amicus brief to be (eventually) filed in the U.S. Supreme Court in the matters of Kathleen Sebelius, Secretary of Health and Human Services v. Hobby Lobby Stores, Inc., and Conestoga Wood Specialties Corporation v. Kathleen Sebelius, Secretary of Health and Human Services. EPA is not involved in this matter. The amicus brief would be in support of the position of the United States.

During my time in status as a federal employee, I would not actually file the brief or make an appearance in the Supreme Court. My request is for written permission both (1) to perform "behind-the-scenes" work of researching and writing the brief during off-duty hours, and (2) to seek and receive compensation for this "behind-the-scenes" work, while I am still in federal employee status.
2. Amount of compensation expected, if any:
Uncertain. Possibly [FOIA Ex. 6], probably [FOIA Ex. 6], and almost certainly [FOIA Ex. 6].
3. Name and business of the person or organization for which the work will be done (if you will be self-employed, indicate the type of services to be rendered and estimate the number of clients or customers anticipated during the next 6 months):
[FOIA Ex. 6], a non-profit organization (www. [FOIA Ex. 6])
4. Estimated time to be devoted to the activity:
Uncertain. Probably between 10-30 hours, but possibly as many as 50, over the next 3 weeks, entirely on off-hours (evenings, weekends, 12/25, etc.)
5. Indicate whether the service will be performed entirely outside of normal duty hours; if not, estimate the number of hours of absence from work required:
My current plan is to perform this entirely out of normal duty hours. However, to be safe, I would like permission to be able to use up to 8 hours of scattered annual leave (<8 total) during the week of 12/23-27. My overall request is not contingent on this last issue.
6. If the outside activity/employment will include consulting or professional services to institutions which have or may seek federal assistance agreements or contracts,

please note the assistance agreements or contracts involved. Include full details of any service which involves preparing grant applications, contract proposals or program reports. Indicate the basis for compensation (e.g. fee, per diem, per annum, etc)

None

7. Describe the basis for compensation (e g , fee, per diem, per annum, etc)

Per hour

- 8 **Employee Statement:**

I have read, am familiar with, and will abide by the restrictions described in 5 CFR part 2635 and & 6401 102. No official duty time or government property, resources or facilities not available to the general public will be used in connection with the outside activity/employment.

☒ Agree ☐ Disagree

Application for Outside Activities

Applicant's Name: [FOIA Ex. 6]
Thru: TIM WILLIAMSON

Office: ORA

Date Submitted: 09/23/2011

Status: ☐ Pending ☐ Rejected
☐ Concurred ☐ Withdrawn
☒ Approved ☐ Other

Status Date: 09/23/2011

Application Memo: <--- Attach Memo

Expiration: 09/23/2016

Conditions Memo:



[Outside Activity [FOIA Ex. 6] Conditions Memo pdf <---
Attach Memo

Approval Memo:



Outside Activity [FOIA Ex. 6] Approval < --- Attach Memo

Please answer all questions:

Enter your current Job Description: General Attorney grade 15

1. Nature of the outside activity/employment, including a full description of the services to be performed:
Teach course on Hazardous Substances Cleanup: Brownfields, as an adjunct professor, at a law school (accredited non-profit academic institution)
2. Amount of compensation expected, if any:
[FOIA Ex. 6]
3. Name and business of the person or organization for which the work will be done (if you will be self-employed, indicate the type of services to be rendered and estimate the number of clients or customers anticipated during the next 6 months):
[FOIA Ex. 6] University School of Law
[FOIA Ex. 6]
4. Estimated time to be devoted to the activity:
During the seven week period beginning May 28, 2012 and ending July 13, 2012, about 5 1/2 hours of class time each week, and about 10 1/2 hours per week preparation = total of about 16 hours per week
5. Indicate whether the service will be performed entirely outside of normal duty hours; if not, estimate the number of hours of absence from work required:
Work will performed entirely while on annual leave. Will need to be in absent from work at EPA Boston office during the seven week period, but will have accumulated the time and be on annual leave.
[note: will be able to work during the 7 weeks part time for EPA, from a California duty station, if this also is approved]
6. If the outside activity/employment will include consulting or professional services to institutions which have or may seek federal assistance agreements or contracts, please note the assistance agreements or contracts involved. Include full details of any service which involves preparing grant applications, contract proposals or program reports. Indicate the basis for compensation (e.g. fee, per diem, per annum, etc.):
not applicable

7 Describe the basis for compensation (e.g., fee, per diem, per annum, etc)
salary - adjunct professor

8. **Employee Statement:**

I have read, am familiar with, and will abide by the restrictions described in 5 CFR part 2635 and & 6401 102. No official duty time or government property, resources or facilities not available to the general public will be used in connection with the outside activity/employment.

☒ Agree ☐ Disagree



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

Region 1
5 Post Office Square, Suite 100
BOSTON, MA 02109-3912

MEMORANDUM

Date: September 26, 2011

Subject: Permission to ~~Engage in Outside~~ Activity

From: Carl F. Dierker *CFD*
Deputy Ethics Official, Office of Regional Counsel

To: Jeff Fowley
General Attorney, Office of Regional Counsel

CONFIDENTIAL

Pursuant to 5 C.F.R. §6401.103, I have reviewed your request for permission to engage in outside employment as an adjunct professor at the Golden Gate University School of Law ("Golden Gate"). The course you will be teaching at Golden Gate is titled Hazardous Substances Cleanup: Brownfields. You anticipate that you will devote approximately 16 hours per week for approximately seven weeks to this activity, all of which will be performed outside of your EPA duty hours. You will receive \$4,500.00 in compensation for this activity.

I find that your participation in this outside employment creates neither an actual conflict of interest nor the appearance of a conflict of interest, provided you comply with the attached memorandum from Wendy Chu, Assistant Regional Counsel. Accordingly, your request is approved. This approval is valid for five years from the date of my approval. If, however, there is a change in the nature or scope of the duties or services performed for Golden Gate, you must submit a revised request to me.

If you have any further questions regarding this matter, please contact Ms. Chu at 617-918-1082.

Attachment

cc: Tim Williamson, Deputy Regional Counsel, Office of Regional Counsel



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION 1
ONE CONGRESS STREET SUITE 1100
BOSTON, MA 02114-2023

MEMORANDUM

DATE: July 28, 2009

SUBJECT: Permission to Engage in Outside Employment

FROM: Ira Leighton
Deputy Ethics Official, EPA New England

TO: [FOIA Ex. 6]
Project Officer, Municipal Assistance Unit,
Office of Ecosystem Protection

Handwritten signature: John W. Leighton

CONFIDENTIAL

Pursuant to 5 C.F.R. § 6401.103, I have reviewed your request for permission to engage in outside employment to as a member of the [FOIA Ex. 6] Advisory Board for [FOIA Ex. 6], a European company. You anticipate that you will engage in this outside employment between two and four days per year. You also anticipate that you will be reimbursed for your airfare, hotel, and per diem costs associated with your annual trip to [FOIA Ex. 6] to perform this activity but that you will not receive a salary for this activity.

I find that your participation in this outside employment creates neither an actual conflict of interest nor the appearance of a conflict of interest, provided you comply with the attached memorandum from LeAnn Jensen, Senior Assistant Regional Counsel. Accordingly, your request is approved. This approval is valid for five years from the date of my approval. If, however, there is a change in the nature or scope of the duties or services performed or the nature of your business, you must submit a revised request to your Deputy Ethics Official.

If you have any further questions regarding this matter, please contact Ms. Jensen at (617) 918-1072.

Attachments

Application for Outside Activities

Applicant's Name FOIA Ex. 6

Office. OES

Thru: SAMUEL SILVERMAN

Date Submitted: 07/17/2009

Status:

☐ Pending ☐ Rejected
☐ Concurred ☐ Withdrawn
☒ Approved ☐ Other

Status Date. 06/15/2010

Application Memo: <--- Attach Memo

Expiration: 06/15/2015

Conditions Memo:



[FOIA Ex. 6] Condition.pdf <--- Attach Memo

Approval Memo:



[FOIA Ex. 6] Approval.pdf <--- Attach Memo

Please answer all questions:

Enter your current Job Description: Serves as Chief, Municipal NPDES Permits Branch with responsibility for managing the NPDES permit process in the states of MA and NH as well as overseeing the permit program in the delegated states of CT, ME, RI and VT.

1. Nature of the outside activity/employment, including a full description of the services to be performed:
 Serve as Vice-President of the [FOIA Ex. 6] Association ([FOIA Ex. 6]A) with the expectation that I will progress to the position of President-Elect followed by acceptance of the Presidency. The immediate and subsequent positions are part of the Senior Management Team and Executive Committee within the organization. The Vice-President supports the President and President-Elect in advising the Association's Executive Director on internal matters including the Association's finances and operating policies and procedures. Each of the afore-mentioned positions are responsible for representing the Association at any number of training and technical programs that the Association, its committees and members develop and put on for its members and others who are interested in the wastewater field generally. At these events the officer represents the Association, delivers opening remarks and promotes the Association's principles and policies.
2. Amount of compensation expected, if any:
 No compensation; positions are purely voluntary. The VP term expires concurrent with the January 2010 Annual Conference after which the President-elect position will take effect and run until January 2011 with the term as President expiring in January 2012
3. Name and business of the person or organization for which the work will be done (if you will be self-employed, indicate the type of services to be rendered and estimate the number of clients or customers anticipated during the next 6 months):
 [FOIA Ex. 6] Association ([FOIA Ex. 6]A) [FOIA Ex. 6]A is an organization comprised principally of wastewater professionals from the consultant, municipal and regulator communities as well as pollution control equipment vendors, manufacturers and their representatives. Current membership numbers approximately 2,000 and includes engineers, scientists, and wastewater treatment operators membership in [FOIA Ex. 6]A includes annual dues that are not supported by EPA. The Agency typically funds fees and travel as

- necessary to attend conferences given the professional development and training nature of the conferences.
4. Estimated time to be devoted to the activity:
Approximately 160 hours per year
 5. Indicate whether the service will be performed entirely outside of normal duty hours;
if not, estimate the number of hours of absence from work required:
The split is approximately 100 hours during normal duty hours (including time spent at the annual conference and spring meeting attending various technical sessions as well as time spent at various executive committee and senior management team meetings. The remaining hours are off-duty working on various Association matters mostly of a planning nature dealing with the strategic direction of the Association.
 6. If the outside activity/employment will include consulting or professional services to institutions which have or may seek federal assistance agreements or contracts, please note the assistance agreements or contracts involved. Include full details of any service which involves preparing grant applications, contract proposals or program reports. Indicate the basis for compensation (e.g. fee, per diem, per annum, etc.)
Not applicable
 7. Describe the basis for compensation (e.g., fee, per diem, per annum, etc.)
not applicable
 8. **Employee Statement:**
I have read, am familiar with, and will abide by the restrictions described in 5 CFR part 2635 and § 6401.102. No official duty time or government property, resources or facilities not available to the general public will be used in connection with the outside activity/employment.
☒ Agree ☐ Disagree



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

Region 6
1445 Ross Avenue, Suite 1200
Dallas, Texas 75202 - 2733

August 27, 2013

MEMORANDUM

SUBJECT: Approval for Outside Employment

FROM: Samuel Coleman, P.E.
Deputy Regional Administrator

TO: [FOIA Ex. 6]
Environmental Scientist
Multimedia Planning and
Permitting Division (6PD)

This memorandum is in response to your written request for approval for outside employment submitted on July 15, 2013. In that request, you seek approval to engage in an outside activity that will involve designing and deploying FileMaker database solutions for businesses.

You anticipate working on this activity approximately 10 to 15 hours per week, all to occur outside normal duty hours. You agree that no Government property, resources or facilities will be used in connection with this outside activity and that you will be compensated on an hourly basis, at approximately [FOIA Ex. 6] per hour. You have indicated that you have read and are familiar with the restrictions described in 5 CFR Parts 2635 and 6401 and have agreed to abide by those restrictions. The outside persons involved in this activity do not hold any EPA assistance agreements or contracts.

You are currently assigned to the RCRA Strategic Planning and Information Management Section in the Multimedia Permitting and Planning Division. Your duties include providing GIS mapping services, running analyses on databases such as RCRAInfo, and working on some greenhouse gas issues. You do not expect that your official duties with EPA will conflict with or involve issues, matters or parties involved with your proposed outside employment opportunity.

In evaluating the applicability of the Standards of Ethical Conduct to your activities, please be particularly mindful of the requirements regarding conflicting outside employment found in 5 CFR § 2635.801. You should also pay careful attention to the clients for whom you are providing these services and the rules governing impartiality found in 5 CFR part 2635 subpart E. If you have any questions regarding the application of these requirements or other requirements of the Standards of Conduct or other Federal law governing the conduct of Federal employees to your outside activities, please do not hesitate to contact Ben Harrison or Terry Sykes for advice.

Under the circumstances described above, I find that your requested outside employment is not expected to involve conduct prohibited by statute or Federal regulation, including 5 CFR part 2635 and 5 CFR § 6401.102, and, pursuant to 5 CFR § 6401.103, your request is approved. If there is a change in the nature or scope of the duties or services you will perform or the nature of your outside activity, you must submit a revised request for approval. If you transfer to an organization for which a different Deputy Ethics Official has responsibility, you must obtain approval from the new Deputy Ethics Official. This approval is valid for five years.

cc: Cathy Carter, Chief
RCRA Strategic Planning
Information Management Section (6PD)

Application for Outside Activities

Applicant's Name: [FOIA Ex. 6]

Office: OES

Thru: SAMUEL SILVERMAN

Date Submitted: 05/19/2011

Status: ☐ Pending ☐ Rejected
☐ Concurred ☐ Withdrawn
☒ Approved ☐ Other

Status Date: 05/24/2011

Application Memo: <---- Attach Memo

Expiration: 05/24/2016

Conditions Memo: <---- Attach Memo

Approval Memo: <---- Attach Memo

Please answer all questions:

Enter your current Job Description: Legal Enforcement Manager

1. Nature of the outside activity/employment, including a full description of the services to be performed:
I am planning to speak at my [FOIA Ex. 6] 35th reunion on May 27 on the topic of EPA regulation of greenhouse gases. I will speak on a panel, and was planning to say I was speaking in my individual capacity, not as an EPA employee. I will take leave for the period of the panel and other reunion activities. The information I convey will be factual (i.e., what regulations EPA has issued).
2. Amount of compensation expected, if any:
None
3. Name and business of the person or organization for which the work will be done (if you will be self-employed, indicate the type of services to be rendered and estimate the number of clients or customers anticipated during the next 6 months):
[FOIA Ex. 6] University Alumni: Reunion
4. Estimated time to be devoted to the activity:
One hour
5. Indicate whether the service will be performed entirely outside of normal duty hours; if not, estimate the number of hours of absence from work required:
This activity - 2 hours total (including transportation).
6. If the outside activity/employment will include consulting or professional services to institutions which have or may seek federal assistance agreements or contracts, please note the assistance agreements or contracts involved. Include full details of any service which involves preparing grant applications, contract proposals or program reports. Indicate the basis for compensation (e.g. fee, per diem, per annum, etc.):
N/A
7. Describe the basis for compensation (e.g., fee, per diem, per annum, etc.)
N/A
8. Employee Statement:
I have read, am familiar with, and will abide by the restrictions described in 5 CFR part 2635 and & 6401.102. No official duty time or government property, resources or facilities not available to the general public will be used in connection with the outside activity/employment.
☒ Agree ☐ Disagree



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

Region 6
1445 Ross Avenue, Suite 1200
Dallas, Texas 75202 - 2733

August 27, 2013

MEMORANDUM

SUBJECT: Approval for Outside Employment

FROM: Samuel Coleman, P.E.
Deputy Regional Administrator

TO: [FOIA Ex. 6]
Deputy Director
Multimedia Planning and
Permitting Division (6PD)

This memorandum is in response to your written request for approval for outside employment submitted on August 16, 2013. In that request, you seek approval to engage in teaching a four hour environmental science laboratory course at [FOIA Ex. 6] College. You anticipate the course being limited to principles of environmental science and not related to EPA policies and programs in any significant way.

You anticipate working on this activity approximately 8 hours per pay period. While these hours would normally occur during normal duty hours, you will be using credit hours accrued as part of a Daily Flexible Schedule or otherwise prior approved annual leave. You have further agreed to look into the possibility of securing a substitute in the event a critical work issue or travel arises. You agree that no Government property, resources or facilities will be used in connection with this outside activity.

You have indicated that you are unsure whether this is a compensated or uncompensated position but anticipate that, if compensated, the salary would be approximately [FOIA Ex. 6] per hour. In discussing compensation with [FOIA Ex. 6] College, please be aware that there is a general prohibition in 5 CFR § 2635.807(a)(1) on receiving compensation from any source other than the government for teaching, speaking or writing that relates to official duties. There is an exception in 5 CFR § 2635.807(a)(3) that allows compensation where the course requires multiple presentations as this one does, if the course is offered as part of a regularly established curriculum ([FOIA Ex. 6] College meets the definition of "institution of higher education" as referenced in the regulations.) There is some relationship between environmental science and your official job duties as the Deputy Director of the Multimedia, Planning and Permitting Division even though your primary function is not that of an environmental scientist. Because this is a regular course presented by [FOIA Ex. 6] College, it fits within the exception and compensation is allowed.

In evaluating the applicability of the Standards of Ethical Conduct to your activities, please be particularly mindful of the requirements regarding conflicting outside employment found in 5 CFR § 2635.807(b) regarding reference to your official position. You have indicated that you have read and are familiar with the restrictions described in 5 CFR Parts 2635 and 6401 and have agreed to abide by those restrictions. The outside entity involved in this activity does not hold any EPA assistance agreements or contracts. If you have any questions regarding the application of these requirements or other requirements of the Standards of Conduct or other Federal law governing the conduct of Federal employees to your outside activities, please do not hesitate to contact Ben Harrison or Terry Sykes for advice.

Under the circumstances described above, I find that your requested outside employment is not expected to involve conduct prohibited by statute or Federal regulation, including 5 CFR part 2635 and 5 CFR § 6401.102, and, pursuant to 5 CFR § 6401.103, your request is approved. If there is a change in the nature or scope of the

duties or services you will perform or the nature of your outside activity, you must submit a revised request for approval. If you transfer to an organization for which a different Deputy Ethics Official has responsibility, you must obtain approval from the new Deputy Ethics Official. This approval is valid for five years.

cc: Wren Stenger
Director
Multimedia Planning and
Permitting Division (6PD)

Application for Outside Activities

Applicant's Name: [FOIA Ex. 6]
Thru: SUSAN STUDIEN

Office: OES

Date Submitted: 06/08/2006

Status: ☐ Pending ☐ Rejected
☐ Concurred ☐ Withdrawn
☒ Approved ☐ Other

Status Date: 09/28/2007

Application Memo: <---- Attach Memo

Expiration: 09/28/2012

Conditions Memo:



Outside Activity [FOIA Ex. 6] Conditions Memo 2007.pdf <----
Attach Memo

Approval Memo:



Outside Activity [FOIA Ex. 6] Approval 2007 pdf <----
Attach Memo

Please answer all questions:

Enter your current Job Description: Acting Manager, Drinking Water Unit

1. Nature of the outside activity/employment, including a full description of the services to be performed:
Serve as Co-Chair of the [FOIA Ex. 6] Bar Association's Wetlands, Waterway and Waterquality Committee. Help organize monthly luncheon meetings of the committee -- typically by finding speakers on topics of interest to committee members. Attend Environmental Section Committee meetings. This is a two-year position.
2. Amount of compensation expected, if any:
None
3. Name and business of the person or organization for which the work will be done (if you will be self-employed, indicate the type of services to be rendered and estimate the number of clients or customers anticipated during the next 6 months):
[FOIA Ex. 6] Bar Association.
4. Estimated time to be devoted to the activity:
2-5 hours/month
5. Indicate whether the service will be performed entirely outside of normal duty hours; if not, estimate the number of hours of absence from work required:
2 hours/month
6. If the outside activity/employment will include consulting or professional services to institutions which have or may seek federal assistance agreements or contracts, please note the assistance agreements or contracts involved. Include full details of any service which involves preparing grant applications, contract proposals or program reports. Indicate the basis for compensation (e.g. fee, per diem, per annum, etc.):
Not applicable.
7. Describe the basis for compensation (e.g., fee, per diem, per annum, etc.):
Not applicable.
8. Employee Statement:

I have read, am familiar with, and will abide by the restrictions described in 5 CFR part 2635 and § 6401.102. No official duty time or government property, resources or facilities not available to the general public will be used in connection with the outside activity/employment.

☒ Agree ☐ Disagree

To: Terry Sykes (Deputy Ethics Officer)

Through: Mike Barra (Immediate Supervisor)

From: [FOIA Ex. 6] (Attorney- Office of Regional Counsel)

Subject: Request for Approval Pursuant to 5 CFR Section 6401.103

Date: May 22, 2012

(1) Employee's name, title and grade: My name is [FOIA Ex. 6] and I am an attorney in the Office of Regional Counsel. My Grade is 14.

(2) Nature of the outside activity, including a full description of the services to be performed and the amount of compensation expected; the nature and scope of the outside activity involves the following: (a) Evaluate the Clean Water Act and regulations promulgated there under, current and upcoming, to determine if there is any potential impact on a water supply and delivery system in a specific location(s) to be determined in Texas. The complete review completely water related and therefore my review would cover issues like Section 401/404 permitting, endangered species of concern, and the Texas Pollutant Discharge Elimination System permitting; and (b) Review four existing contracts to see if there are terms of the contracts that need revision because of the change in reservoirs yield Compensation is estimated at [FOIA Ex. 6]

(3) The name and business of the person or organization for which the work will be done (in cases of **self-employment**, indicate the type of services to be rendered and estimate the number of clients or customers anticipated during the next 6 months); the name of the entity for which service will be rendered is [FOIA Ex. 6].

(4) The estimated time to be devoted to the activity; 100 hours over a period of 24 months

(5) Whether the service will be performed entirely outside of normal duty hours (if not, estimate the number of hours of absence from work required); yes, the work will be performed entirely outside of normal duty hours.

(6) The employee's statement that no official duty time or Government property, resources, or facilities not **available** to the general public will be used in connection with the outside employment; no official duty time or Government, property, resources, or facilities not available to the general public will be used in connection with the outside work.

(7) The basis for compensation (e.g., fee, per diem, per annum, etc.); fee

(8) The employee's statement that he or she has read, is familiar with, and will abide by the restrictions described in 5 CFR part 2635 and § 6401.102; I have read, is familiar with, and will abide by the restrictions described in 5 CFR part 2635 and § 6401.102. And

(9) An identification of any EPA assistance agreements or contracts held by a person to or for whom services would be provided. None



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

REGION 6

1445 ROSS AVENUE, SUITE 1200
DALLAS, TX 75202-2733

MEMORANDUM

JUL 06 2012

SUBJECT: Your Request for Approval of Outside Activity

FROM : Suzanne Murray
Regional Counsel (6RC)

TO: [FOIA Ex. 6]
Assistant Regional Counsel (6RC-ER)

This is in response to your written request for approval for outside activity submitted on May 22, 2012. In your request, you seek approval to engage in outside employment as a consultant to [FOIA Ex. 6] Engineering. Your proposed activities will include (a) evaluating the Clean Water Act and regulations promulgated thereunder, to determine if there is any potential impact from engineering projects on a water supply and delivery system in a specific location or locations in Texas yet to be determined. This will include evaluation of related issues such as Clean Water Act Section 401 and 404 permitting, endangered species of concern, and any Texas Pollutant Discharge Elimination System permitting impacts; and (b) reviewing four existing contracts to see if there are terms that require revision should reservoirs yield be changed by the projects. You expect to spend 100 hours over a period of 24 months on this activity, all of which will be performed outside of your EPA working hours. You agree that no official duty time or Government property, resources, or facilities will be used in the course of your outside activity. Your compensation will be paid a lump sum of [FOIA Ex. 6]. You indicate that you have read and will abide by the restrictions described in 5 C.F.R. Part 2635 and 5 C.F.R. § 6401.102.

Your current position with EPA is as a General Attorney in the Office of Regional Counsel, RCRA Enforcement Branch. Your current duties include enforcing the requirements of a variety of environmental statutes, primarily the Resource Conservation and Recovery Act. You are also assigned to multi-media cases that include the enforcement of the Clean Water Act and the Clean Air Act.

During your participation in this outside employment, you should continuously monitor the applicability of the Standards of Conduct to your activities. In doing so, please be particularly mindful of the requirements regarding the use of your government position or title or any authority of your public office to in 5 C.F.R. § 2635.702. If you have any questions regarding the application of these requirements or any other requirements of the Standards of Conduct or other Federal law governing the conduct of Federal employees to your outside activities, please do not hesitate to contact Terry Sykes or Ben Harrison.

I find that your requested outside employment is not expected to involve conduct prohibited by statute or Federal regulation, including 5 CFR Part 2635 and 5 CFR § 6401.102, and, pursuant to 5 CFR § 6401.103, your request is approved. This approval does not include authorization to provide services to persons or organizations with EPA contracts or assistance agreements. If there is a change in the nature or scope of the duties or services you will perform or the nature of your outside activity, you must submit a revised request for approval. If you transfer to an organization for which a different Deputy Ethics Official has responsibility, you must obtain approval from the new Deputy Ethics Official. This approval is valid for five years.

cc: Mike Barra

UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
National Center for Environmental Assessment

OFFICE OF
RESEARCH AND DEVELOPMENT

SUBJECT: Approval for outside activity

FROM: {FOIA Ex. 6}

TO: John Vandenberg

As required by C.F.R. Title 5 Chapter LIV Part 6401.103, I am requesting your approval to participate in the outside employment/activity described below. I understand that this approval must be obtained in advance of initiating or committing to the performance of this activity and is approved only as specified in the information given below or for a period of five years.

Approval shall be granted in writing and only upon a determination that the outside employment is not expected to involve conduct prohibited by statute or Federal regulation, including 5 CFR part 2635 and § 6401.102.

- 1) **Employee's name, title and grade:** [FOIA Ex. 6], Sr. Biologist, Gr. 14
- 2) **Nature of the outside activity, including a full description of the services to be performed and the amount of compensation** to be expected:**
- 3) **This activity involves drafting a book chapter on “Air borne carcinogens-mechanisms of cancer ” for a book on “ Air pollution” for [FOIA Ex 6] publications. The efforts will involve, literature search, scoping and draft of the material, obtaining copy rights for the material to be used in the draft from the published literature, working with our NCEA staff on producing the necessary graphics, obtaining clearance from NCEA management for the draft and submission to the publisher. Throughout the activity, I will be working closely with the editor. There is no for this**
- 3) **The name and business of the person or organization for which the work will be done– (in cases of self-employment, indicate the types of services to be rendered and estimate the number of clients or customers anticipated during the next 6 months):**
Springer publications. Services to be rendered are indicated in the answer

to question No. 1

- 4) **The estimated time (hours/days) to be devoted to the activity; (Please indicate exact dates if known.):**

4hrs /week . (~ or less than 0.1 FTE)

Start date (2/15/13 and end date May 15th 2013) total duration of 3 months.

- 5) **Whether the service will be performed entirely outside of normal duty hours (yes or no)**

Only time equivalent to 0.1 FTE will be used from the duty hours for the period indicated in the answer to question 4 . The rest of the activity is performed outside duty hours.

6) **The basis for compensation (e.g., fee, per hour, per diem, per annum, etc.) including actual expenses for meeting-related travel, honorarium or other compensation:** there is no compensation for this activity. However, if, approved, the publisher would like to give a complementary copy of the book for which the chapter is contributed.

7) **Identification of any assistance agreements or contracts held by the person to or for whom services will be provided. (Must be answered—if not known by employee, please state so; if agreements or contracts are known, indicate the employee's involvement, if any.)** Not known by the employee.

* Employment means any form of non-Federal employment, business relationship, or activity involving the provision of personal services by the employee, whether or not for compensation. It includes but is not limited to personal services as an **officer, director, employee, agent, attorney, consultant, contractor, general partner, trustee, teacher or speaker**. It includes writing when done under an arrangement with another person for production or publication of the written product. It does not, however, include participation in the activities of a nonprofit charitable, religious, professional, social, fraternal, educational, recreational, public service, or civic organization, unless activities are for compensation other than reimbursement for expenses.

**Compensation includes any form of consideration, remuneration or income, including royalties, given for or in connection with employee's speaking or writing activities. Unless accepted under specific statutory authority, such as 31 U.S.C. 1353, 5 U.S.C. 4111 or 7342, or an agency gift acceptance statute, it includes transportation, lodging and meals, whether provided in kind, by purchase of a ticket, by payment, in advance or by reimbursement after the expense has been incurred.

1)

EMPLOYEE CERTIFICATION

and that I have provided all the information pertinent for the Deputy Ethics Official to make an informed decision on this matter.

b) I certify that I have read, am familiar with, and will abide by the restrictions described in 5 C.F.R. parts 2635 and § 6401;

c) I certify that no official duty time or Government property, resources, or facilities not available to the general public will be used in connection with this outside employment/activity (unless otherwise stated above.)

d) I certify that if there is a change in the scope of the duties or services performed or the nature of my business, I will submit a revised request for approval.

e) I certify that I will not represent EPA nor will I use my official EPA title, except as in a list of biographical information, in which case my EPA title is given no more prominence than other significant biological details.

f) I certify that the invitation to engage in this activity was extended to me primarily because of my expertise in this particular subject matter and *not because of my official position.*

g) I certify that the invitation to engage in this activity or the offer of compensation was *not* extended to me, directly or indirectly, by a person who has interests that may be affected substantially by the performance or non-performance of my duties.

h) I certify that the information conveyed through this activity does not draw substantially on ideas or official data that are nonpublic information; the subject does not deal in significant part with any matter to which I am currently assigned (working on as an EPA employee) or have been assigned during the previous one-year period or any ongoing or announced policy, program, or operation of the agency.

i) I certify that I will not use or permit the use of my official title or position to identify me in connection with this activity or to promote any book, seminar, course, program or similar undertaking except as one of several biographical details in connection with an article published in a scientific or professional journal, provided that the title or position is accompanied by a reasonably prominent disclaimer indicating that the views expressed do not necessarily represent the views of the agency or the US.

FOIA Ex 6
Employee's signature

2/4/2018
Date

2)

DEPUTY ETHICS OFFICIAL APPROVAL

APPROVAL

John Vandy

3/6/18

DISAPPROVAL _____

Date

Date



DUKE UNIVERSITY MEDICAL CENTER
Department of Medicine
Division of Pulmonary, Allergy and Critical Care Medicine

January 7, 2013

Dear Anuradha Mudipalli,

We are very pleased to invite you to contribute to a chapter to the new textbook entitled “**Air Pollution and Health Effects**”. You have been selected as a result of your recognized expertise and sustained contributions to the field. This textbook has been pre-approved by Springer Publishing (Springer-Verlag London Ltd.) and will be a part of a Series entitled “**Molecular and Integrative Toxicology**”. We formally request that you contribute a book chapter on the topic of carcinogens/cancer and air pollution. There will be approximately 16 chapters as a part of this book. Each chapter should have 8000 to 12000 words with 5-10 tables/figures. Each chapter should represent a critical review of *state-of-art* research to provide the reader with fundamental understanding of the biological mechanisms involved in air pollution related disease and health that may include; epidemiology, *at-risk* populations, mechanisms of pathogenesis, genetics/epigenetics, therapy/prevention/intervention strategies.

Below is a link to the Author Guidelines on Springer’s website which will give you all the information you need on setting out your chapter and preparing your artwork.

<http://www.springer.com/authors/book+authors/helpdesk?SGWID=0-1723113-12-971304-0>

Please confirm your willingness to participate in this endeavor along with tentative title of the chapter along with any co-author that may be participating from your group. The deadline for submission of book chapters will be **May 30, 2013**. We plan to provide editorial reviews with requests for revisions by July 2013. The publisher has agreed to provide a copy of the textbook for your contributions to this

Upon your agreement, Springer will send you an official invitation letter and more details including an author pack.

We hope that you will be willing to participate.

Sincerely,

N S Srikanth

John W. Hollingsworth M.D.
Associate Editor
Duke University Medical Center
Email: john.hollingsworth@duke.edu

Sri Nadadur Ph.D.
Senior Editor
National Institute of Environmental Health Sciences
nadadurs@niehs.nih.gov



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
WASHINGTON, D.C. 20460

APR 11 2013

MEMORANDUM

OFFICE OF
ENFORCEMENT AND
COMPLIANCE ASSURANCE

SUBJECT: Approval of Outside Activity for [FOIA Ex. 6]

TO: [FOIA Ex. 6]

FROM: Susan E. Bromm, Director *Susan E. Bromm*
Office of Federal Activities as Deputy Ethics Official

The purpose of this memorandum is to notify you of the approval of your request to participate in a peer review for the Auditing Roundtable¹ on guidance pertaining to conducting conflict mineral auditing, (an outside activity) in your personal capacity.

I am denying your request to participate in your official capacity. In my opinion, this effort does not contain a sufficient nexus to your assigned responsibilities, nor is the organization's effort a priority of OFA. Therefore, you may not participate in the peer review in your official capacity.

You may however, participate in your personal capacity. Even though your participation in your personal capacity is not expected to involve conduct prohibited by statute or Federal regulation, including 5 CFR part 2635 and 5 CFR 6401.102, the "impartiality" provisions at 5 CFR Part 2635, Subpart E, and the restrictions of 18 USC 205 apply. Therefore, you should generally not participate in EPA matters which involve such organization as a specific party if "a reasonable person with knowledge of the relevant facts" would question your impartiality. Further, you may not use EPA time, equipment, or facilities for this outside activity. In addition, you shall not use or permit the use of your Government position or title in a manner that could reasonably be construed to imply EPA endorsement or support.

If there is a change in the nature or scope of your duties or services performed, you must submit a revised request for approval. In addition, this approved request is valid only for five years, as of the date of this memorandum. If you transfer to an organization for which a different Deputy Ethics Official has responsibility, you must obtain approval from that new Deputy Ethics Official.

cc: Candi Schaedle

¹ The Auditing Roundtable is a professional organization for environmental, health and safety (EHS) auditors

Dated 4/1/2013

MEMORANDUM

TO: Susan Bromm,
Director, Office of Federal Activities and designated Ethics Officer

FROM: [FOIA Ex 6] /s/
Associate Director for Policy Analysis

SUBJECT: Prior approval to participate in a peer review of Auditing Roundtable Audit Guidelines

I have been approached by the Auditing Roundtable requesting that I agree to serve as a peer reviewer on Guidelines they are developing for use by US Companies to comply with SEC rules relating to mandated certification that the companies are not engaged with conflict minerals, namely four minerals mined in East Africa for which trading in weapons have resulted in armed conflict

I am requesting your approval of my participation in this project either in my official capacity or I am requesting prior approval of my participation in my personal capacity.

Attachments: Approval Form
Invitation Letter

21

Name: [FOIA Ex 6]
Title: Associate Director for Policy Analysis
Grade: GS-015
Nature of the outside activity: To serve as one of several peer reviewers of Guidelines they are developing for use by US Companies to comply with SEC rules relating to certification that the companies are not engaged with conflict minerals, namely four minerals mined in East Africa for which trading in weapons have resulted in armed conflict.
Compensation expected: No compensation will be offered or taken
Name of outside organization: Auditing Roundtable: a not for profit professional volunteer organization to develop and share best practices in environmental, health and safety audits. [FOIA Ex 6] of the [FOIA Ex 6] is heading the project as a volunteer board member.
Relationship to organization: Member and past elected member of governing board; development of environmental auditing standards and professional practice, Represented EPA on ISO 14000 Technical Advisory Group (TAG) to develop auditing standards for Environmental Management Systems, Previously staff developed draft MOU with SEC on disclosure of environmental liabilities including enforcement and regulatory risk. In current position, manage capacity building program for EIA and enforcement for which countries are seeking to certify environmental auditors.
Estimated time for the activity: 8 months with 8 conference calls (1 hour each), review and comment on three drafts (4 hours each) for a total of 24 hours.
No travel.
Use of government property: If approved as part of my official duties I would utilize my government issued computer and telephone and calls may be scheduled during normal work hours. If approved as an activity in my personal capacity I would not use government equipment.
Official duty time: If approved as part of my official duties I would schedule conference calls during normal work hours. If approved as an activity in my personal capacity, I would undertake the tasks only outside normal duty time.
Statements: I hereby attest to the following statements:

I have read, am familiar with, and will abide by the restrictions described in 5 CFR Part 2635 (Subpart H on "Outside Activities) and Section 6401.102 (EPA's Supplemental Regulations); and

Neither the Auditing Roundtable nor Lawrence Heim hold any EPA assistance agreements or contracts

Signature of Employee, [FOIA Ex 6]

Signature of Supervisor, Susan Bromm

_____ Decision to approve official duty

_____ Decision to approve in personal capacity



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
WASHINGTON, D C. 20460

FEB 20 2009

OFFICE OF
ENFORCEMENT AND
COMPLIANCE ASSURANCE

MEMORANDUM

SUBJECT: Outside Employment Approval Request

FROM: Susan E. Bromm *Susan E. Bromm*
Director
Office of Federal Activities

TO: [FOIA Ex. 6]
Environmental Protection Specialist

This is in response to your memo requesting approval for outside activity. Specifically, you wish to serve as the Treasurer, which is a board position, of the DC Chapter of the Association for Conflict Resolution. As part of your official duties at EPA, you are a task order project officer for a conflict prevention and resolution services contract that has a roster of service providers. You indicate that you expect that some of the service providers are members of the Association for Conflict Resolution. However, it is not apparent that your official duties will have any direct and predictable financial effect upon the Association itself, though it may on some subset of the Association's members.

For the purposes of the financial conflict of interest statute, 18 USC 208, the interests of the Association (but not its individual members) are imputed to you since as a board member. This means that you cannot, as part of his official duties, participate in any particular matter that will have a direct and predictable effect upon the Association. This includes particular matters involving the Association itself, such as a request to speak at an Association meeting, as well as any particular matter of general applicability, such as an assistance agreement that the Association may apply for. You must recuse yourself from working on any particular matters that involve the Association as a specific party or that would affect the Association itself (but not its individual members) as a part of a class (of other Associations, for example).

You should bear in mind that another federal criminal statute, 18 USC 205, prevents you from representing the interests of the Association back to the federal government. This restriction applies even if the representation is unpaid. You cannot represent the Association as agent or attorney in connection with any matter in which the United States

is a party or has a direct and substantial interest. You may provide "behind the scenes" assistance, but you cannot represent it before any US federal official.

Of course the usual rules about not using official duty time or Government property, resources or facilities not available to the general public apply in connection with this outside employment.

Provided you comply with the restrictions discussed above, I hereby approve your request for outside employment.

MEMORANDUM

SUBJECT: Request for Approval for Outside Employment

FROM: [FOIA Ex. 6]
Environmental Protection Specialist, GS-15
NEPA Compliance Division
Office of Federal Activities

THRU: Susan Bromm
Director, Office of Federal Activities
Deputy Ethics Official

TO: Justina Fugh
Senior Counsel for Ethics
Office of General Counsel

I am formally requesting permission to accept an opportunity to serve as a Board Member (Treasurer) of the District of Columbia Chapter of the Association for Conflict Resolution (<http://www.mediate.com/dcacr/>). The *Supplemental Standards of Ethical Conduct for Employees of the Environmental Protection Agency* requires that the employee's request for approval of outside employment shall be submitted in writing. This memorandum serves that purpose.

Please note that one of my responsibilities in the Office of Federal Activities is to act as a Task Order Project Officer for a sub-part of the larger "Conflict Prevention and Resolution Services" contract administered by the Office of General Counsel's Conflict Prevention and Resolution Center. My Office has a task order under that contract that allows for obtaining facilitation and mediation services for EPA activities related to the review of Environmental Impact Statements. Under that contract, there is a prime contractor (SRA International) that has a roster of service providers that are used to provide facilitation/mediation services. There is a likelihood that some of the service providers on this contract are also members of the Association for Conflict Resolution.

Nature of the activity and the amount of compensation expected:

As a Board Member, I would assist in planning the activities of the Chapter. Regular activities of the Chapter include sponsoring events with topics on cutting-edge issues in alternative dispute resolution (ADR); promoting ADR in the D.C. area; sponsoring annual professional development conferences, seminars or workshops; publishing a quarterly newsletter; and responding to general requests for information on ADR. As Treasurer, I would be responsible for maintaining financial records regarding membership dues and making any necessary payments for expenses incurred by the Chapter. No compensation will be provided for my services.

The name & business of the person/organization for which the work will be done:

District of Columbia Chapter of the Association for Conflict Resolution

The estimated time to be devoted to the activity:

10 hours per month

Whether the service will be performed entirely outside of normal duty hours:

All service would be performed entirely outside of normal duty hours

The basis for compensation (e.g., fee, per diem, per annum, etc.):

No compensation will be provided

An identification of any EPA assistance agreements or contracts held by a person to or for whom services would be provided:

I am not aware of any EPA assistance agreements or contracts held by the District of Columbia Chapter of the Association for Conflict Resolution

I will use no official duty time or Government property, resources, or facilities not available to the general public in this endeavor. I have read, am familiar with, and will abide by the restrictions described in 5 CFR part 2635 and § 6401.102.

Please feel free to contact me at (202) 564-7159 if you have any questions.

Cc: Robert Hargrove, NEPA Compliance Division



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
WASHINGTON, D.C. 20460

JAN 10 2008

OFFICE OF
ENFORCEMENT AND
COMPLIANCE ASSURANCE

MEMORANDUM

SUBJECT: Request for approval of outside employment

FROM: [FOIA Ex. 6]
Environmental Protection Specialist

TO: Anne Norton Miller
Deputy Ethics Official
Office of Federal Activities

This is a memorandum pursuant to 5 CFR 6401.103: Prior Approval for Outside Employment.

Employee Name, Title and Grade: [FOIA Ex. 6], Environmental Protection Specialist, GS-15

Nature of the outside activity, including a full description of the services to be performed and the amount of compensation expected:

I intend to volunteer my services as a community mediator with the Center for [FOIA EX. 6]. The mediation may fall in the following two programs.

Community Misdemeanor Mediation Service (CMMS)

The Community Misdemeanor Mediation Service is a partnership between The Office of the United States Attorney for the District of Columbia and the Community Dispute Resolution Center of Washington, D.C. to divert both pre-arrest and post-arrest misdemeanor cases to mediation.

Office of Police Complaints

The Community Dispute Resolution Center (CDRC) and the Office of Police Complaints (OPC) formed a partnership to mediate citizen complaints against the D.C. Metropolitan Police Department.

The name and business of the person or organization for which the work will be done:

Center for [FOIA Ex. 6]

The estimated time to be devoted to the activity

I currently anticipate that I would generally volunteer for approximately 1 mediation per month (with a likely maximum of two per month), each mediation taking several hours

Whether the service will be performed entirely outside of normal duty hours

The service will take place during regular duty hours, for which I will take leave.

Basis for Compensation

No compensation will be provided; this is a volunteer activity.

Identification of any EPA assistance agreements or contracts held by contractee.

I am unaware of any EPA assistance for the Center for [FOIA Ex. 6].

Statement

I affirm that no official duty time or Government property, resources, or facilities not available to the general public will be used in connection with the outside employment.

I have read, am familiar with, and will abide by the restrictions described in 5 CFR part 2365 and 6401.102.

APR 22 2014

MEMORANDUM

SUBJECT: Approval of Outside Employment for [FOIA Ex. 6]
TO: [FOIA Ex. 6]
FROM: Susan E. Bromm, Director, *Susan E. Bromm*
Office of Federal Activities as Deputy Ethics Official

The purpose of this memorandum is to notify you of the approval of your request for outside employment for teaching graduate-level environmental policy courses at [FOIA Ex. 6] University.

5 CFR 2635.807(a)(3) permits an employee to accept compensation for teaching a course requiring multiple presentations by the employee as long as it is part of a regular established curriculum at an institution of higher education. Therefore, I have made the determination that your outside employment is not expected to involve conduct prohibited by statute or Federal regulation, including 5 CFR part 2635 and 5 CFR 6401.102.

If there is a change in the nature or scope of your duties or services performed or the nature of your business, you must submit a revised request for approval. In addition, this approved request is valid only for five years, as of the date of this memorandum. If you transfer to an organization for which a different Deputy Ethics Official has responsibility, you must obtain approval from that new Deputy Ethics Official.

April 17, 2014

Susan E. Bromm, Director
Office of Federal Activities/OECA
Deputy Ethics Officer

Dear Susan,

I would like to submit a request for approval for an outside activity, specifically the development and teaching of graduate-level environmental policy courses at [FOIA Ex 6] University. The following information, as required by the Office of General Counsel, is provided for your consideration:

- Requestor: [FOIA Ex 6], Environmental Protection Specialist, GS 15
- Description of activity: development and teaching of graduate courses in environmental policy; compensation is expected to be approximately [FOIA Ex 6] /per semester/per course.
- Name of organization: [FOIA Ex 6]
- Timeframe: Start April 21, 2014 – ongoing as needed (maximum duration: 5 years)
- All activities will be conducted outside work hours.
- No official duty time or Government property, resources, or facilities available to the general public will be used in connection with the outside employment.
- The basis for the compensation is payment on a per semester basis. No additional fees, per diem or payments are anticipated.
- I have read, am familiar with, and will abide by the restrictions described in 5 CFR Part 2635 (Subpart H on Outside Activities) and Section 6401.102 (EPA's Supplemental Regulations)
- I am not aware of any EPA assistance agreements or contracts held by [FOIA Ex 6] University.

I thank you for your consideration of this request

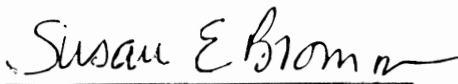
Sincerely,

FOIA Ex. 6

[FOIA Ex 6]

International Compliance Assurance Division
Office of Federal Activities/OECA

Approval



Susan E. Bromm, Director

APP 2 2 1

Date



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
WASHINGTON, D.C. 20460

AUG -7 2013

OFFICE OF
ENFORCEMENT AND
COMPLIANCE ASSURANCE

MEMORANDUM

SUBJECT: Approval of Outside Employment for [FOIA Ex. 6]
TO: [FOIA Ex. 6]
FROM: Susan E. Bromm, Director *Susan E. Bromm*
Office of Federal Activities as Deputy Ethics Official

The purpose of this memorandum is to notify you of the approval of your request for outside employment for teaching an environmental policy course at [FOIA Ex. 6] University.

5 CFR 2635.807(a)(3) permits an employee to accept compensation for teaching a course requiring multiple presentations by the employee as long as it is part of a regular established curriculum at an institution of higher education. Therefore, I have made the determination that your outside employment is not expected to involve conduct prohibited by statute or Federal regulation, including 5 CFR part 2635 and 5 CFR 6401.102.

If there is a change in the nature or scope of your duties or services performed or the nature of your business, you must submit a revised request for approval. In addition, this approved request is valid only for five years, as of the date of this memorandum. If you transfer to an organization for which a different Deputy Ethics Official has responsibility, you must obtain approval from that new Deputy Ethics Official.

July 30, 2013

Susan E. Bromm, Director
Office of Federal Activities/OECA
Deputy Ethics Officer

Dear Susan,

I would like to submit this revised request for approval for an outside activity, specifically the teaching of an environmental policy course at [FOIA Ex. 6] University. The class is entitled "EVPP 337: Environmental Policy Making in Developing Countries" and will be held on Wednesdays from 4:30 – 7:10 pm for the period August 28th – December 18th, 2013. Ethics approval to conduct this activity was issued January 10, 2013 for the Spring 2013 semester. This revised request includes the dates for the Fall 2013 semester. All other information remains the same.

The following information, as required by the Office of General Counsel, is provided for your consideration:

- Requestor: [FOIA Ex. 6], Environmental Protection Specialist, GS 15
- Description of activity: teaching of full semester undergraduate course in environmental policy; compensation is expected to be approximately [FOIA Ex. 6]
- Name of organization [FOIA Ex. 6]
- Revised timeframe: August 28th – December 18th, 2013
- All activities will be conducted outside work hours
- No official duty time or Government property, resources, or facilities available to the general public will be used in connection with the outside employment.
- The basis for the compensation is payment on a per semester basis. No additional fees, per diem or payments are anticipated
- I have read, am familiar with, and will abide by the restrictions described in 5 CFR Part 2635 (Subpart H on Outside Activities) and Section 6401.102 (EPA's Supplemental Regulations).
- I am not aware of any EPA assistance agreements or contracts held by [FOIA Ex. 6] University.


I thank you for your consideration of this request.

Si
FOIA Ex. 6

[FOIA Ex. 6]

International Compliance Assurance Division
Office of Federal Activities/OECA

Approval:



Susan E. Bromm, Director

8/7/13

Date



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
WASHINGTON, D.C. 20460

OFFICE OF
ENFORCEMENT AND
COMPLIANCE ASSURANCE

JAN 10 2013

MEMORANDUM

SUBJECT: Approval of Outside Employment for [FOIA Ex. 6]
TO: [FOIA Ex. 6]
FROM: Susan E. Bromm, Director *Susan E. Bromm*
Office of Federal Activities as Deputy Ethics Official

The purpose of this memorandum is to notify you of the approval of your request for outside employment for teaching an environmental policy course at [FOIA Ex. 6] University.

5 CFR 2635.807(a)(3) permits an employee to accept compensation for teaching a course requiring multiple presentations by the employee as long as it is part of a regular established curriculum at an institution of higher education. Therefore, I have made the determination that your outside employment is not expected to involve conduct prohibited by statute or Federal regulation, including 5 CFR part 2635 and 5 CFR 6401.102

If there is a change in the nature or scope of your duties or services performed or the nature of your business, you must submit a revised request for approval. In addition, this approved request is valid only for five years, as of the date of this memorandum. If you transfer to an organization for which a different Deputy Ethics Official has responsibility, you must obtain approval from that new Deputy Ethics Official.

December 21, 2012

Susan Bromm, Director
Office of Federal Activities/OECA
Deputy Ethics Officer

Dear Susan,

I would like to request approval for an outside activity, specifically the teaching of an environmental policy course at [FOIA Ex. 6] University. The class is entitled "EVPP 337: Environmental Policy Making in Developing Countries" and will be held on Wednesdays from 4:30 – 7:10 pm for the period January 23rd – May 8th, 2013.

The following information, as required by the Office of General Counsel, is provided for your consideration:

- Requestor: [FOIA Ex. 6], Environmental Protection Specialist, GS 15
- Description of activity: teaching of full semester undergraduate course in environmental policy; compensation is expected to be approximately [FOIA Ex. 6]
- Name of organization: [FOIA Ex. 6]
- Timeframe: January 23rd to May 8th, 2013
- All activities will be conducted outside work hours
- No official duty time or Government property, resources, or facilities available to the general public will be used in connection with the outside employment.
- The basis for the compensation is payment on a per semester basis. No additional fees, per diem or payments are anticipated.
- I have read, am familiar with, and will abide by the restrictions described in 5 CFR Part 2635 (Subpart H on Outside Activities) and Section 6401.102 (EPA's Supplemental Regulations).
- I am not aware of any EPA assistance agreements or contracts held by [FOIA Ex. 6] University.

I thank you for your consideration of this request.

Sincerely,

FOIA Ex. 6

[FOIA Ex. 6]

International Compliance Assurance Division
Office of Federal Activities/OECA

Approval: Susan E Bromm

Susan Bromm, Director

Date

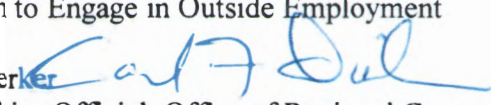


UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
Region 1
5 Post Office Square, Suite 100
BOSTON, MA 02109-3912

MEMORANDUM

Date: September 20, 2012

Subject: Permission to Engage in Outside Employment

From: Carl F. Dierker 
Deputy Ethics Official, Office of Regional Counsel

To: [FOIA Ex. 6]
Senior Assistant Regional Counsel

CONFIDENTIAL

Pursuant to 5 C.F.R. §6401.103, I have reviewed your request for permission to engage in outside employment representing an inmate at a disciplinary hearing at the [FOIA Ex. 6] Correctional Center. You anticipate that you will engage in this outside employment for approximately 20 hours outside of your normal duty hours for EPA or on annual leave. You will not be compensated for your work, but will be acting pro bono.

I find that your participation in this outside employment creates neither an actual conflict of interest nor the appearance of a conflict of interest, provided you comply with the attached memorandum from Jill Metcalf, Senior Assistant Regional Counsel. Accordingly, your request is approved. This approval is valid for five years from the date of my approval. If, however, there is a change in the nature or scope of the duties or services performed or the nature of your business, you must submit a revised request to me, your Deputy Ethics Official.

If you have any further questions regarding this matter, please contact Ms. Metcalf at 617-918-1088.

Attachments



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

Region 1

5 Post Office Square, Suite 100
BOSTON, MA 02109-3912

MEMORANDUM

Date: September 19, 2012

Subject: Permission to Engage in Outside Activity for [FOIA Ex. 6]

From: Jill T. Metcalf
Senior Assistant Regional Counsel

To: Carl F. Dierker
Deputy Ethics Official, Office of Regional Counsel

CONFIDENTIAL

Attached is an application from [FOIA Ex. 6] for permission to engage in outside employment representing an inmate at a disciplinary hearing at the [FOIA Ex. 6] Correctional Center. [FOIA Ex. 6] is an attorney in the EPA Office of Regional Counsel in Region 1. Her duties at EPA include addressing legal matters that arise under the Clean Water Act such as wetland and National Pollution Discharge Elimination System permit issues.

[FOIA Ex. 6] anticipates that she will engage in this outside activity for approximately 20 hours outside of her normal duty hours for EPA or on annual leave. She will be acting pro bono and will not receive compensation for this activity.

I recommend that [FOIA Ex. 6] be permitted to engage in this activity as long as the following conditions are met.

(1) [FOIA Ex. 6] must be familiar with the terms of 18 U.S.C. §§203, 205, and 208, and the Standards of Ethical Conduct for Employees of the Executive Branch, 5 C.F.R. Part 2635 ("Standards of Conduct"), particularly 5 C.F.R. Part 2635, Subparts G and H, which include Office of Government Ethics regulations on misuse of position and on outside activities. These statutes and regulations can be found at <http://www.usoge.gov>.

[FOIA Ex. 6] must also be familiar with the EPA's regulation on prior approval for outside employment, 5 C.F.R. §6401.103. This regulation can be found at <http://ecfr.gpoaccess.gov/cgi/t/text/text-idx?c=ecfr&tpl=%2Findex.tpl>

[FOIA Ex. 6] should consult with the Office of Regional Counsel if any questions of propriety arise and she is unsure of how to resolve such questions in conformity with the above-mentioned statutes and regulations. In addition, if there is a change in the nature or scope of her duties in connection with this outside employment, she should promptly submit a revised request for approval to you.

(2) [FOIA Ex. 6] must clearly represent that she is performing the outside employment as a private individual and is not representing EPA or the Federal Government.

(3) [FOIA Ex. 6] may not use or permit the use of her official title or position to identify herself in connection with this outside employment. She may, however, include or permit the inclusion of her EPA title or position as one of several biographical details when such information is given to identify her, provided that her title or position is given no more prominence than other significant biographical details.

(4) [FOIA Ex. 6] may not use information obtained as a result of government employment that has not been made available to the general public and would not be made available upon request.

(5) [FOIA Ex. 6] is prohibited by criminal statute from directly participating in her official capacity as an EPA employee in any matter in which she, her spouse, minor child, partner, or outside employer has a financial interest.

(6) Similarly, [FOIA Ex. 6] must take appropriate steps to avoid an appearance of partiality in the performance of her official duties. Thus, if [FOIA Ex. 6] is involved in an EPA matter that could have a direct and predictable effect on the financial interests of a person with whom she has a "covered relationship," and knows that a reasonable person could question her partiality in the matter, she should recuse herself from any participation in the matter or seek authorization from you to continue her involvement. The definition of the term "covered relationship" includes, among other things, close relatives, persons with whom [FOIA Ex. 6] has or seeks a business, contractual, or other financial relationship, and any person for whom she has, within the last year, served as a consultant, contractor, or employee. See 5 C.F.R. (available at §2635.502 <http://www.usoge.gov>).

(7) [FOIA Ex. 6] must not make use of normal work hours for her intended outside employment. Any time devoted to this activity during normal work hours must be taken as annual leave, compensatory time, or leave without pay, with appropriate approval from her supervisor.

(8) [FOIA Ex. 6] may not make use of EPA personnel in performing her outside employment.

(9) [FOIA Ex. 6] may not make use of EPA office space or equipment in performing her outside employment except as provided in the April 2, 2004 EPA Order entitled

Policy on Limited Personal Use of Government Office Equipment, Classification No. 2100.3 A1 (available at <http://intranet.epa.gov/ohr/rmpolicy/ads/orders/2100.3A1.pdf>).

(10) [FOIA Ex. 6] may not represent the interests of the inmate before the Federal Government (not just EPA).

Because [FOIA Ex. 6] outside employment represents no actual or apparent conflict with her EPA duties, I recommend that this request be approved, provided that she complies with the Standards of Conduct and the above-mentioned conditions. Your approval will be valid for a period of five years. If [FOIA Ex. 6] continues to engage in this outside activity beyond this five-year approval period, she should promptly submit a revised approval request to you before your current approval elapses.

Requests for approval to engage in outside employment or other activity are confidential and may not be disclosed without the employee's consent except to her supervisor, the Deputy Ethics Official, Designated Agency Ethics Official or his alternate, and staff designated to assist them.

Attachments

cc: [FOIA Ex. 6]

Employee Certification

This is to certify:

1. That no official duty time, government property, resources or facilities not available to the general public will be used in connection with my proposed outside activity except as provided for in the April 2, 2004 Order referenced above.
2. I have read, am familiar with, and will abide by the restrictions described in 5 C.F.R. Part 2635 and Section 6401.102.

9/20/12
Date

FOIA Ex. 6
Signature



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
Region 1
5 Post Office Square, Suite 100
BOSTON, MA 02109-3912

MEMORANDUM

Date: December 18, 2012

Subject: Permission to Engage in Outside Activity

From: Ira W. Leighton
Deputy Ethics Official

To: [FOIA Ex. 6]
Office of the Regional Administrator

A handwritten signature in blue ink, which appears to read "Ira W. Leighton", is written over the "From:" field of the memorandum.

CONFIDENTIAL

Pursuant to 5 C.F.R. §6401.103, I have reviewed your request for permission to engage in outside employment as an adjunct professor at [FOIA Ex. 6] University. In that capacity, you will teach one course on an annual basis. You anticipate that you will devote approximately 10 hours per week for 5 weeks to this activity, all of which will be performed outside of your EPA duty hours. You will receive approximately [FOIA Ex. 6] as compensation for this activity.

I find that your participation in this outside activity creates neither an actual conflict of interest nor the appearance of a conflict of interest, provided you comply with the attached memorandum from LeAnn Jensen, Senior Assistant Regional Counsel. Accordingly, your request is approved. This approval is valid for five years from the date of my approval. If, however, there is a change in the nature or scope of your duties or services, you must submit a revised request to me.

If you have any further questions regarding this matter, please contact Ms. Jensen at 617-918-1072.

Attachment

cc: Nancy Grantham, Office of the Regional Administrator




UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
Region 1
5 Post Office Square, Suite 100
BOSTON, MA 02109-3912

MEMORANDUM

Date: August 1, 2012

Subject: Permission to Engage in Outside Activity for [FOIA Ex. 6]

From: LeAnn W. Jensen 
Senior Assistant Regional Counsel

To: Ira W. Leighton
Deputy Ethics Official

CONFIDENTIAL

Attached is an application from [FOIA Ex. 6] requesting permission to engage in outside employment as an adjunct professor at [FOIA Ex. 6] University. As an EPA employee, [FOIA Ex. 6] is the Team Leader of the Intergovernmental Relations and Community Involvement Team in the Region 1 Office of the Regional Administrator.

[FOIA Ex. 6] has requested permission to engage in outside employment as an adjunct professor at [FOIA Ex. 6] University to teach one course, entitled Public Service Communication, on an annual basis. He anticipates that he will devote approximately 10 hours per week for 5 weeks towards this work, which will be performed outside his EPA duty hours. [FOIA Ex. 6] will receive approximately [FOIA Ex. 6] as compensation for this activity.

I recommend that [FOIA Ex. 6] be permitted to engage in this activity as long as the following conditions are met.

1. [FOIA Ex. 6] must be familiar with the terms of 18 U.S.C. §§203, 205, and 208, and the Standards of Ethical Conduct for Employees of the Executive Branch, 5 C.F.R. Part 2635 ("Standards of Conduct"), particularly 5 C.F.R. Part 2635, Subparts G and H, which include Office of Government Ethics regulations on misuse of position and outside activities. These statutes and regulations can be found at <http://www.usoge.gov>.

[FOIA Ex. 6] must also be familiar with the EPA's regulation on prior approval for outside employment, 5 C.F.R. §6401.103. This regulation can be found at <http://ecfr.gpoaccess.gov/cgi/t/text/text-idx?c=ecfr&tp1=%2Findex.tpl>.

[FOIA Ex. 6] should consult with the Office of Regional Counsel if any questions of propriety arise and he is unsure of how to resolve such questions in conformity with the above-mentioned statutes and regulations. In addition, if there is a change in the nature or scope of his duties in connection with this outside employment, he should promptly submit a revised request for approval to you.

2. [FOIA Ex. 6] must clearly represent that he is performing the outside employment as a private individual and is not representing EPA or the Federal Government.
3. [FOIA Ex. 6] may not use or permit the use of his official title or position to identify himself in connection with this outside employment. He may, however, include or permit the inclusion of his EPA title or position as one of several biographical details when such information is given to identify him, provided that his title or position is given no more prominence than other significant biographical details.
4. [FOIA Ex. 6] may not use information obtained as a result of government employment that has not been made available to the general public and would not be made available upon request.
5. [FOIA Ex. 6] is prohibited by criminal statute from directly participating in his official capacity as an EPA employee in any matter in which he, his spouse, minor child(ren), partner, or outside employer has a financial interest.
6. Similarly, [FOIA Ex. 6] must take appropriate steps to avoid an appearance of partiality in the performance of his official duties. Thus, if [FOIA Ex. 6] is involved in an EPA matter that could have a direct and predictable effect on the financial interests of a person with whom he has a "covered relationship," and knows that a reasonable person could question his impartiality in the matter, he should recuse himself from any participation in the matter or seek a authorization from you to continue his involvement. The definition of the term "covered relationship" includes, among other things, close relatives, persons with whom [FOIA Ex. 6] has or seeks a business, contractual, or other financial relationship, and any person for whom he has, within the last year, served as a consultant, contractor, or employee. See 5 C.F.R. (available at <http://www.usdoj.gov>). Accordingly, [FOIA Ex. 6] should seek advice from you before he engages in any EPA matter that concerns or could affect his outside employment as an adjunct professor at Suffolk University.
7. [FOIA Ex. 6] must not make use of normal work hours for his intended outside employment. Any time devoted to this activity during normal work hours must be taken as annual leave, compensatory time, or leave without pay, with appropriate approval from his supervisor.
8. [FOIA Ex. 6] may not make use of EPA personnel in performing his outside employment.
9. [FOIA Ex. 6] may not make use of EPA office space or equipment in performing his outside employment except as provided in the April 2, 2004 EPA Order entitled Policy on Limited Personal Use of Government Office Equipment, Classification No. 2100.3 A1 (available at <http://intranet.epa.gov/ohr/rmpolicy/ads/orders/2100.3A1.pdf>).

10. [FOIA Ex. 6] is prohibited from representing his outside employer before the federal government. He must therefore seek ethics guidance from the Office of Regional Counsel when questions arise regarding his ability to represent [FOIA Ex. 6] University before any Federal agency or court (not just EPA).

Because [FOIA Ex. 6]'s outside employment represents no actual or apparent conflict with his EPA duties, I recommend that this request be approved, provided that he complies with the Standards of Conduct and the above-mentioned conditions. Your approval will be valid for a period of five years. If [FOIA Ex. 6] continues to engage in this outside activity beyond this five-year approval period, he should promptly submit a revised approval request to you before y our current approval elapses.

Requests for approval to engage in outside employment or other activity are confidential and may not be disclosed without the employee's consent except to his immediate supervisor, the Deputy Ethics Official, Designated Agency Ethics Official or his alternate, and staff designated to assist them.

Attachment

cc: [FOIA Ex. 6], Team Leader, Intergovernmental Relations and Community Involvement
Team, Office of Public Affairs, ORA
Nancy Grantham, Director, Office of Public Affairs, ORA

Employee Certification

This is to certify:

1. That no official duty time, government property, resources or facilities not available to the general public will be used in connection with my proposed outside activity except as provided for in the April 2, 2004 Order referenced above.
2. I have read, am familiar with, and will abide by the restrictions described in 5 C.F.R. Part 2635 and Section 6401.102.

8/24/12
Date

[Signature]
Signature



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION 1
ONE CONGRESS STREET SUITE 1100
BOSTON, MA 02114-2023

MEMORANDUM

DATE:

SUBJ: Permission to Engage in Outside Employment

FROM: Ira W. Leighton
Deputy Ethics Official

A handwritten signature in black ink, appearing to read "Ira W. Leighton", written over the printed name and title.

TO: [FOIA Ex. 6]
Special Assistant, Office of the Regional Administrator

CONFIDENTIAL

Pursuant to 5 C.F.R. § 6401.103, I have reviewed your request for permission to engage in outside employment as an Adjunct Professor at [FOIA Ex. 6] University. You anticipate that you will teach one class per year for a six week period. During this period, you anticipate devoting approximately 2.5-5 hours per week outside of your normal duty hours for EPA. You will be compensated [FOIA Ex. 6] for your work as an Adjunct Professor.

I find that your participation in this outside employment creates neither an actual conflict of interest nor the appearance of a conflict of interest, provided you comply with the attached memorandum from Sharon Wells, Senior Assistant Regional Counsel. Accordingly, your request is approved. This approval is valid for five years from the date of my approval. If, however, there is a change in the nature or scope of the duties or services performed or the nature of your business, you must submit a revised request to your Deputy Ethics Official.

If you have any further questions regarding this matter, please contact LeAnn Jensen at (617) 918-1072.


Attachments

cc: Nancy Grantham



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION I
ONE CONGRESS STREET SUITE 1100
BOSTON, MA 02114-2023

MEMORANDUM

DATE: FEB 15 2007
SUBJ: Permission to Engage in Outside Activity
FROM: Ira W. Leighton
Deputy Ethics Official 
TO: [FOIA Ex. 6]
Senior Enforcement Counsel, Superfund Legal Office, OES

CONFIDENTIAL

Pursuant to 5 C.F.R. § 6401.103, I have reviewed your request for permission to engage in outside activity as an advisor to the [FOIA Ex. 6] Farm Interest Group (Interest Group) and the Town [FOIA Ex. 6], Massachusetts (Town). This activity is related to the proposed sale of "[FOIA Ex. 6]" (Farm) located in the Town. The owners of the property are proposing to sell, and the Town has a right of first refusal to purchase the property. You will advise the Interest Group, and possibly the Town on issues related to the proposed sale and the Town's possible purchase of the Farm. Your advice and support will include legal advice, research and the preparation of written materials. You will not be compensated for this activity. You anticipate that you will engage in this outside activity approximately three hours per week, probably ending in May of 2007.

I find that your participation in this outside activity creates neither an actual conflict of interest nor the appearance of a conflict of interest, provided you comply with the attached memorandum from Sharon Wells, Senior Assistant Regional Counsel. Accordingly, your request is approved. This approval is valid for six months from the date of my approval. If, however, there is a change in the nature or scope of the duties or services performed or the nature of your activity, you must submit a revised request to me, your Deputy Ethics Official.

If you have any further questions regarding this matter, please contact Ms. Wells at (617) 918-1007.

Attachments

cc: Joanna Jerison, Chief, Superfund Legal Office, OES



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION 1
ONE CONGRESS STREET SUITE 1100
BOSTON, MA 02114-2023

MEMORANDUM

DATE: February 13, 2007

SUBJECT: Permission to Engage in Outside Activity for [FOIA Ex. 6]

FROM: Sharon Wells *Sharon Wells*
Senior Assistant Regional Counsel

TO: Ira Leighton
Deputy Ethics Official

CONFIDENTIAL

Attached is a memorandum from [FOIA Ex. 6], Senior Enforcement Counsel, Superfund Legal Office, Office of Environmental Stewardship, requesting permission to engage in outside activity as an advisor to the [FOIA Ex. 6] Interest Group (Interest Group) and the Town of [FOIA Ex. 6], Massachusetts (Town). This outside activity is related to the proposed sale of "[FOIA Ex. 6] Farm" (Farm) located in the Town. The owners of the property are proposing to sell, and the Town has a right of first refusal to purchase the property. [FOIA Ex. 6] will advise the Interest Group, and possibly the Town on issues related to the proposed sale and the Town's possible purchase of the Farm. His advice and support will include legal advice, research and the preparation of written materials. He will not be compensated for this activity. He anticipates that he will engage in this outside activity approximately three hours per week, probably ending in May of 2007.

I recommend that [FOIA Ex. 6] be permitted to engage in this activity as long as the following conditions are met:

1. [FOIA Ex. 6] must be familiar with the terms of 18 U.S.C. §§ 203, 205 and 208, and the Standards of Ethical Conduct for Employees of the Executive Branch (Standards of Conduct), 5 C.F.R. Part 2635, particularly 5 C.F.R. Part 2635, Subparts G and H (which include Office of Government Ethics misuse of position and outside activity regulations). He must also be familiar with 5 C.F.R. § 6401.103. The relevant statutes and regulations can be found at <http://www.usoge.gov>.

[FOIA Ex. 6] should consult with me if any questions of propriety arise and he is unsure of how to resolve these questions in conformity with the above-mentioned statutes and regulations. In addition, if there is a change in the nature or scope of his duties in connection with the outside activity, he should promptly submit a revised request for approval to you.

2. [FOIA Ex. 6] must clearly represent that he is performing the outside activity as a private individual and is not representing EPA or the Federal Government.
3. [FOIA Ex. 6] may not use or permit the use of his official title or position to identify himself in connection with the outside activity. He may, however, include or permit the inclusion of his EPA title or position as one of several biographical details when such information is given to identify him provided that his title or position is given no more prominence than other significant biographical details.
4. [FOIA Ex. 6] may not use information obtained as a result of government employment that has not been made available to the general public and would not be made available upon request.
5. [FOIA Ex. 6] is prohibited by criminal statute from acting as an agent (communication with intent to influence) on behalf of either the Interest Group or the Town, before any Federal Agency or courts in matters in which the United States is a party or has a direct and substantial interest.
6. [FOIA Ex. 6] is prohibited by criminal statute from directly participating in his official capacity as an EPA employee in any matter that he, his spouse, minor child, partner, or outside employer has a financial interest.
7. Similarly, [FOIA Ex. 6] must take appropriate steps to avoid an appearance of partiality in the performance of his official duties. Thus, if [FOIA Ex. 6] is involved in an EPA matter that could have a direct and predictable effect on the financial interests of a person with whom he has a "covered relationship," and knows that a reasonable person could question his partiality in the matter, he should recuse himself from any participation in the matter or seek authorization to continue his involvement from you.

The definition of the term "covered relationship" includes, among other things, close relatives, persons with whom the employee has or seeks a business, contractual or other financial relationship, and any person for whom the employee has, within the last year, served as a consultant, contractor or employee. 5 C.F.R. § 2635.502 (available at
8. [FOIA Ex. 6] must not make use of normal work hours for the intended outside activity. Any time devoted to this activity during normal work hours must be taken as annual leave, compensatory time, or leave without pay, with appropriate approval from his supervisor.
9. [FOIA Ex. 6] may not make use of EPA personnel in performing his outside activity.
10. [FOIA Ex. 6] may not make use of EPA office space or equipment in performing his outside activity except as provided in the April 2, 2004 EPA Order entitled on Policy

Use of Government Office Equipment, Classification No. 2100.3 A1, available at <http://intranet.epa.gov/rmpolicy/ads/orders>.

Because [FOIA Ex. 6]'s outside activity as an advisor to the [FOIA Ex. 6] Interest Group and the Town [FOIA Ex. 6], Massachusetts presents no actual or apparent conflict with his EPA duties, I recommend that this request be approved, provided that he complies with the Standards of Conduct and the above-mentioned conditions. I recommend that [FOIA Ex. 6]'s approval be valid for a period of six months. If [FOIA Ex. 6] continues to engage in this outside activity beyond this six month approval period, he should promptly submit a revised approval request to you before his approval elapses.

Requests for approval to engage in outside employment or other activity are confidential and may not be disclosed without the employee's consent except to his/her immediate supervisor, the Deputy Ethics Official, Designated Agency Ethics Official or his/her alternate, and staff designated to assist them.

Attachments

cc: [FOIA Ex. 6], Superfund Legal Office, OES Joanna
Jerison, Chief, Superfund Legal Office, OES

Employee Certification

This is to certify:

1. That no official duty time, government property, resources or facilities not available to the general public will be used in connection with my proposed outside activity;
2. I have read, am familiar with, and will abide by the restrictions described in 5 C.F.R. Part 2635 and Section 6401.102.

04/05/07
Date

FOIA Ex. 6
Signature



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY


Region 1

5 Post Office Square, Suite 100
BOSTON, MA 02109-3912

MEMORANDUM

Date: September 26, 2011

Subject: Permission to Engage in Outside Activity for [FOIA Ex. 6]

From: Wendy Chu 
Assistant Regional Counsel

To: Carl F. Dierker
Deputy Ethics Official, Office of Regional Counsel

CONFIDENTIAL

Attached is an application from [FOIA Ex. 6] requesting permission to engage in outside employment as an adjunct professor at [FOIA Ex. 6] University School of Law ("[FOIA Ex. 6]"). As an EPA employee, [FOIA Ex. 6] is a General Attorney in the Office of Regional Counsel ("ORC"). His primary responsibilities include legal counseling work pertaining to the Resource Conservation and Recovery Act (RCRA) and underground storage tanks, reviews of EPA Region 1 regulatory interpretations, reviews of RCRA permits, and other legal advice.

[FOIA Ex. 6] has requested permission to teach a course titled Hazardous Substances as an Cleanup: Brownfields adjunct professor at [FOIA Ex. 6] for a seven-week period beginning May 28, 2012 and ending July 13, 2012. [FOIA Ex. 6] anticipates that he will devote approximately 16 hours per week (5.5 hrs of class time and 10.5 hours of preparation) during the seven-week period. [FOIA Ex. 6] will perform this work while on annual leave, or if approved, outside of his EPA duty hours, while working a part-time schedule for the relevant time period. He will receive [FOIA Ex. 6] in compensation for this activity.

I recommend that [FOIA Ex. 6] be permitted to engage in this activity as long as the following conditions are met.

- (1) [FOIA Ex. 6] must be familiar with the terms of 18 U.S.C. §§203, 205, and 208, and the Standards of Ethical Conduct for Employees of the Executive Branch, 5 C.F.R. Part 2635 ("Standards of Conduct"), particularly 5 C.F.R. Part 2635, Subparts G and H, which include Office of Government Ethics regulations on

misuse of position and outside activities. [FOIA Ex. 6] must also be familiar with 5 C.F.R. §6401.103, EPA's supplemental regulation on prior approval for outside employment.

[FOIA Ex. 6] should consult with the Office of Regional Counsel if any questions of propriety arise and he is unsure of how to resolve such questions in conformity with the above-mentioned statutes and regulations. In addition, if there is a change in the nature or scope of his duties in connection with this outside employment, he should promptly submit a revised request for approval to you.

- (2) [FOIA Ex. 6] must clearly represent that he is performing the outside employment as a private individual and is not representing EPA or the Federal Government.
- (3) [FOIA Ex. 6] may not use or permit the use of his official title or position to identify himself in connection with this outside employment. He may, however, include or permit the inclusion of his EPA title or position as one of several biographical details when such information is given to identify him, provided that his title or position is given no more prominence than other significant biographical details.
- (4) [FOIA Ex. 6] may not use information obtained as a result of government employment that has not been made available to the general public and would not be made available upon request.
- (5) [FOIA Ex. 6] is prohibited by criminal statute from directly participating in his official capacity as an EPA employee in any matter in which he, his spouse, minor child, partner, or outside employer has a financial interest.
- (6) Similarly, [FOIA Ex. 6] must take appropriate steps to avoid an appearance of partiality in the performance of his official duties. Thus, if [FOIA Ex. 6] is involved in an EPA matter that could have a direct and predictable effect on the financial interests of a person with whom he has a "covered relationship," and knows that a reasonable person could question his partiality in the matter, he should recuse himself from any participation in the matter or seek authorization from you to continue his involvement. The definition of the term "covered relationship" includes, among other things, close relatives, persons with whom [FOIA Ex. 6] has or seeks a business, contractual, or other financial relationship, and any person for whom he has, within the last year, served as a consultant, contractor, or employee. See 5 C.F.R. (available at www.gsa.gov) §2635.502. Accordingly, [FOIA Ex. 6] should seek advice from you before he engages in any EPA matter that concerns or could affect [FOIA Ex. 6].
- (7) [FOIA Ex. 6] must not make use of normal work hours for his intended outside employment. Any time devoted to this activity during normal work hours must be taken as annual leave, compensatory time, or leave without pay, with appropriate approval from his supervisor.

- (8) [FOIA Ex. 6] may not make use of EPA personnel in performing his outside employment.
- (9) [FOIA Ex. 6] may not make use of EPA office space or equipment in performing his outside employment except as provided in the April 2, 2004 EPA Order entitled On Limiting Personal Use of Government Office Classification NEQ100.3A1 (available at <http://intranet.epa.gov/ohr/rmpolicy/ads/orders/2100.3A1.pdf>).

Because [FOIA Ex. 6]'s outside employment with [FOIA Ex. 6] represents no actual or apparent conflict with his EPA duties, I recommend that this request be approved, provided that he complies with the Standards of Conduct and the above-mentioned conditions. Your approval will be valid for a period of five years. If [FOIA Ex. 6] continues to engage in this outside activity beyond this five-year approval period, he should promptly submit a revised approval request to you before your current approval elapses.

Requests for approval to engage in outside employment or other activity are confidential and may not be disclosed without the employee's consent except to his immediate supervisor, the Deputy Ethics Official, Designated Agency Ethics Official or his alternate, and staff designated to assist them.

Attachment

cc: Tim Williamson, Office of Regional Counsel
[FOIA Ex. 6], Office of Regional Counsel

Employee Certification

This is to certify:

1. That no official duty time, government property, resources or facilities not available to the general public will be used in connection with my proposed outside activity except as provided for in the April 2, 2004 Order referenced above.
2. I have read, am familiar with, and will abide by the restrictions described in 5 C.F.R. Part 2635 and Section 6401.102.

9/26/11

Date

[FOIA Ex. 6]

Signature



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
Region 1
5 Post Office Square, Suite 100
BOSTON, MA 02109-3912

MEMORANDUM

Date: May 24, 2011

Subject: Permission to Engage in Outside Activity

From: Ira W. Leighton
Deputy Ethics Official

To: [FOIA Ex. 6]
Legal Enforcement Manager
Office of Environmental Stewardship

A handwritten signature in black ink, appearing to read "Ira W. Leighton", is written over the "From:" and "To:" fields of the memorandum.

CONFIDENTIAL

Pursuant to 5 C.F.R. §6401.103, I have reviewed your request for permission to speak at a reunion event at [FOIA Ex. 6] University ("[FOIA Ex. 6]") as an outside activity. Specifically, you will be speaking at your 35th year [FOIA Ex. 6] reunion on May 27, 2011 on the topic of EPA regulation of greenhouse gases. You will be speaking on a panel, in your individual capacity and not as an EPA employee. You anticipate that you will devote approximately 2 hours to this activity (which includes travel time to and from the event), all of which will be performed outside of your EPA duty hours. You will not receive any compensation for this activity.

I find that your participation in this outside activity creates neither an actual conflict of interest nor the appearance of a conflict of interest, provided you comply with the attached memorandum from Wendy Chu, Assistant Regional Counsel. Accordingly, your request is approved. This approval is valid for five years from the date of my approval. If, however, there is a change in the nature or scope of your duties in connection with this outside activity, you must submit a revised request to me.

If you have any further questions regarding this matter, please contact Ms. Chu at 617-918-1082.

Attachment

cc: Samuel Silverman, Deputy Director, OES



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

Region 1

5 Post Office Square, Suite 100
BOSTON, MA 02109-3912

MEMORANDUM

Date: May 24, 2011

Subject: Permission to Engage in Outside Activity for [FOIA Ex. 6]

From: Wendy Chu *WJC*
Assistant Regional Counsel

To: Ira W. Leighton
Deputy Ethics Official

CONFIDENTIAL

Attached is an application from [FOIA Ex. 6] requesting permission to speak at a reunion event for [FOIA Ex. 6] University ("[FOIA Ex. 6]") as an outside activity. [FOIA Ex. 6] is the Legal Enforcement Manager in the Office of Environmental Stewardship ("OES"). She is responsible for overseeing the legal enforcement work in Region 1. She supervises the Regulatory and Superfund Legal Chiefs and coordinates closely with the Technical Enforcement Managers, who supervise the technical units in OES. She handles policy issues, such as setting priorities and disinvestments, personnel matters, hiring of new attorneys in OES, budget, and other administrative matters. [FOIA Ex. 6] is also involved as a manager in a number of high-profile enforcement actions.

[FOIA Ex. 6] has requested permission to speak at her 35th year [FOIA Ex. 6] reunion on May 27, 2011 on the topic of EPA regulation of greenhouse gases. She will be speaking on a panel, in her individual capacity and not as an EPA employee. [FOIA Ex. 6] anticipates that she will devote approximately 2 hours to this activity (which includes travel time to and from the event), all of which will be performed outside of her EPA duty hours. She will not receive any compensation for this activity.

I recommend that [FOIA Ex. 6] be permitted to engage in this activity as long as the following conditions are met.

- (1) [FOIA Ex. 6] must be familiar with the terms of 18 U.S.C §§203, 205, and 208, and the Standards of Ethical Conduct for Employees of the Executive Branch, 5 C.F.R. Part 2635 ("Standards of Conduct"), particularly 5 C.F.R. Part 2635, Subparts G and H, which include Office of Government Ethics regulations on

misuse of position and outside activities. These statutes and regulations can be found at <http://www.usoge.gov>.

[FOIA Ex. 6] must also be familiar with the EPA's regulation on prior approval for outside employment, 5 C.F.R. §6401.103. This regulation can be found at <http://ecfr.gpoaccess.gov/cgi/t/text/text-idx?c=ecfr&tpl=%2Findex.tpl>.

[FOIA Ex. 6] should consult with the Office of Regional Counsel if any questions of propriety arise and she is unsure of how to resolve such questions in conformity with the above-mentioned statutes and regulations. In addition, if there is a change in the nature or scope of her duties in connection with this outside activity, she should promptly submit a revised request for approval to you.

- (2) [FOIA Ex. 6] must clearly represent that she is performing the outside activity as a private individual and is not representing EPA or the Federal Government. If her speaking concerns her official duties (including any ongoing or announced policy, program, or operation of EPA, even if [FOIA Ex. 6] is not assigned to work on such policy, program, or operation), then she must include a disclaimer that she is expressing her own views and not those of EPA. The disclaimer can be along the lines of "*The views expressed by the speaker are those of the speaker and do not necessarily represent EPA policy.*"
- (3) [FOIA Ex. 6] may not use or permit the use of her official title or position to identify herself in connection with this outside employment. She may, however, include or permit the inclusion of her EPA title or position as one of several biographical details when such information is given to identify her, provided that her title or position is given no more prominence than other significant biographical details.
- (4) [FOIA Ex. 6] may not use information obtained as a result of government employment that has not been made available to the general public and would not be made available upon request.
- (5) [FOIA Ex. 6] is prohibited by criminal statute from directly participating in her official capacity as an EPA employee in any matter in which she, her spouse, minor child(ren), partner, or outside employer has a financial interest.
- (6) Similarly, [FOIA Ex. 6] must take appropriate steps to avoid an appearance of partiality in the performance of her official duties. Thus, if [FOIA Ex. 6] is involved in an EPA matter that could have a direct and predictable effect on the financial interests of a person with whom she has a "covered relationship," and knows that a reasonable person could question her partiality in the matter, she should recuse herself from any participation in the matter or seek authorization from you to continue her involvement. The definition of the term "covered relationship" includes, among other things, close relatives, persons with whom

[FOIA Ex. 6] has or seeks a business, contractual, or other financial relationship, and any person for whom she has, within the last year, served as a consultant, contractor, or employee. See 5 C.F.R. (a)(2)(3)(b)(6) (<http://www.usoge.gov>).

(7)

[FOIA Ex. 6] must not make use of normal work hours for her intended outside activity. Any

(8) [FOIA Ex. 6] may not make use of EPA personnel in performing her outside activity.

(9) [FOIA Ex. 6] may not make use of EPA office space or equipment in performing her outside employment except as provided in the April 2, 2004 EPA Order entitled Policy Equipment, on Limited Personal Use of Government Office Classification No. 2100.3 A1 (available at <http://intranet.epa.gov/ohr/rmpolicy/ads/orders/2100.3A1.pdf>).

Because [FOIA Ex. 6] s outside activity with [FOIA Ex. 6] represents no actual or apparent conflict with her EPA duties, I recommend that this request be approved, provided that she complies with the Standards of Conduct and the above-mentioned conditions. Your approval will be valid for a period of five years. If [FOIA Ex. 6] continues to engage in this outside activity beyond this five-year approval period, she should promptly submit a revised approval request to you before your current approval elapses.

time devoted to this activity during normal work hours must be taken as annual leave,

Requests for approval to engage in outside employment or other activity are confidential and may not be disclosed without the employee's consent except to her immediate supervisor, the Deputy Ethics Official, Designated Agency Ethics Official or his alternate, and staff designated to assist them.

Attachment

cc: [FOIA Ex. 6], Legal Enforcement Manager, OES
Samuel Silverman, Deputy Director, OES

compensatory time, or leave without pay, with appropriate approval from her supervisor.

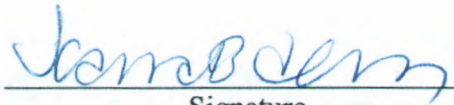
Employee Certification

This is to certify:

1. That no official duty time, government property, resources or facilities not available to the general public will be used in connection with my proposed outside activity except as provided for in the April 2, 2004 Order referenced above.
2. I have read, am familiar with, and will abide by the restrictions described in 5 C.F.R. Part 2635 and Section 6401.102.

5/24/11

Date



Signature



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

Region 1

5 Post Office Square, Suite 100
BOSTON, MA 02109-3912

MEMORANDUM

Date: April 23, 2013

Subject: Permission to Engage in Outside Activity

From: Ira W. Leighton
Deputy Ethics Official

To: [FOIA Ex. 6]
Office of Environmental Stewardship

CONFIDENTIAL

Pursuant to 5 C.F.R. §6401.103, I have reviewed your request for permission to engage in outside employment as a Board of Directors member and Treasurer/Secretary of the [FOIA Ex. 6] Preservation Association. In that capacity, you will be responsible for promoting stewardship of the pond and fundraising for the association. You anticipate that you will devote approximately 10-20 hours per month to this activity, all of which will be performed outside of your EPA duty hours. You will not receive compensation for this activity.

I find that your participation in this outside activity creates neither an actual conflict of interest nor the appearance of a conflict of interest, provided you comply with the attached memorandum from LeAnn Jensen, Senior Assistant Regional Counsel. Accordingly, your request is approved. This approval is valid for five years from the date of my approval. If, however, there is a change in the nature or scope of your duties or services, you must submit a revised request to me.

If you have any further questions regarding this matter, please contact Ms. Jensen at 617-918-1072.

Attachment

cc: Sam Silverman, OES



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
Region 1
5 Post Office Square, Suite 100
BOSTON, MA 02109-3912

MEMORANDUM

Date: April 11, 2013

Subject: Permission to Engage in Outside Activity for [FOIA Ex. 6]

From: LeAnn W. Jensen
Senior Assistant Regional Counsel

To: Ira W. Leighton
Deputy Ethics Official

CONFIDENTIAL

Attached is an application from [FOIA Ex. 6] requesting permission to engage in outside employment as a Board of Directors member and Treasurer/Secretary of the [FOIA Ex. 6] Preservation Association. As an EPA employee, [FOIA Ex. 6] serves as a Senior Enforcement Analyst in the Office of Environmental Stewardship. In this capacity, he is currently involved in drinking water enforcement, inspector training and credentials, and multimedia inspections.

The [FOIA Ex. 6] Preservation Association was formed by area residents to control the milfoil infestation of the pond, promote stewardship, and raise funds from area residents to promote these activities. [FOIA Ex. 6] anticipates that he will devote approximately 10-20 hours per month to this activity. [FOIA Ex. 6] will not be paid and will not devote EPA time or resources to this activity.

I recommend that [FOIA Ex. 6] be permitted to engage in this activity as long as the following conditions are met.

1. [FOIA Ex. 6] be familiar with the terms of 18 U.S.C. §§203, 205, and 208, and the Standards of Ethical Conduct for Employees of the Executive Branch, 5 C.F.R. Part 2635 ("Standards of Conduct"), particularly 5 C.F.R. Part 2635, Subparts G and H, which include Office of Government Ethics regulations on misuse of position and outside activities. These statutes and regulations can be found at <http://www.usoge.gov>.

[FOIA Ex. 6] must also be familiar with the EPA's regulation on prior approval for outside employment, 5 C.F.R. §6401.103. This regulation can be found at <http://ecfr.gpoaccess.gov/cgi/t/text/text-idx?c=ecfr&tpl=%2Findex.tpl>

[FOIA Ex. 6] should consult with the Office of Regional Counsel if any questions of propriety arise and he is unsure of how to resolve such questions in conformity with the above-mentioned statutes and regulations. In addition, if there is a change in the nature or scope of his duties in connection with this outside employment, he should promptly submit a revised request for approval to you.

2. [FOIA Ex. 6] must clearly represent that he is performing the outside employment as a private individual and is not representing EPA.
3. [FOIA Ex. 6] may not use or permit the use of his official title or position to identify himself in connection with this outside employment.
4. [FOIA Ex. 6] may not use information obtained as a result of his employment with EPA that has not been made available to the general public and would not be made available upon request.
5. [FOIA Ex. 6] is prohibited by criminal statute from directly participating in his official capacity as an EPA employee in any matter in which he, his spouse, minor child(ren), partner, or outside employer has a financial interest.
6. [FOIA Ex. 6] should seek advice from you before he engages in any EPA matter that concerns or could affect his outside activity or the [FOIA Ex. 6] Preservation Association.
7. [FOIA Ex. 6] must not make use of normal work hours for his intended outside employment. Any time devoted to this activity during normal work hours must be taken as annual leave, compensatory time, or leave without pay, with appropriate approval from his supervisor.
8. [FOIA Ex. 6] may not make use of EPA personnel in performing his outside employment.
9. [FOIA Ex. 6] may not make use of EPA office space or equipment in performing his outside employment
10. [FOIA Ex. 6] is prohibited from representing anyone other than himself before the federal government. He must therefore seek ethics guidance from the Office of Regional Counsel when questions arise regarding his ability to represent any outside, non-Federal organization before any Federal agency or court (not just EPA).

Because his outside employment represents no actual or apparent conflict with his EPA duties, I recommend that this request be approved, provided that [FOIA Ex. 6] complies with the Standards of Conduct and the above-mentioned conditions. Your approval will be valid for a period of five years. If [FOIA Ex. 6] continues to engage in this outside activity beyond this five-year approval period, he should promptly submit a revised approval request to you before your current approval elapses.

Requests for approval to engage in outside employment or other activity are confidential and may not be disclosed without the employee's consent except to his immediate supervisor, the Deputy Ethics Official, Designated Agency Ethics Official or his/her alternate, and staff designated to assist them.

Attachments

cc: [FOIA Ex. 6], Senior Enforcement Analyst, Office of Environmental Stewardship
Sam Silverman, Deputy Director, Office of Environmental Stewardship

Employee Certification

This is to certify:

1. That no official duty time, government property, resources or facilities will be used in connection with my proposed outside activity.
2. I have read, am familiar with, and will abide by the restrictions described in 5 C.F.R. Part 2635 and Sections 6401.102 and 6401.103.

4/16/13
Da

FOIA Ex. 6



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION 1
ONE CONGRESS STREET SUITE 1100
BOSTON, MA 02114-2023

MEMORANDUM

DATE:

SUBJ: Permission to Engage in Outside Activity

FROM: Ira W. Leighton
Deputy Ethics Official

A handwritten signature in black ink, appearing to read "Ira W. Leighton", with a large, stylized flourish extending to the right.

TO: [FOIA Ex. 6]
Acting Manager of the Drinking Water Unit

CONFIDENTIAL

Pursuant to 5 C.F.R. § 6401.103, I have reviewed your request for permission to engage in outside activity as Co-Chair of the [FOIA Ex. 6] Bar Association's Wetlands, Waterway and Waterquality Committee. You anticipate that you will engage in this outside activity two to five hours a month outside of your normal duty hours for EPA. You will not be compensated for this activity.

I find that your participation in this outside activity creates neither an actual conflict of interest nor the appearance of a conflict of interest, provided you comply with the attached memorandum from Sharon Wells, Senior Assistant Regional Counsel. Accordingly, your request is approved. This approval is valid for five years from the date of my approval. If, however, there is a change in the nature or scope of the duties or services performed relating to this outside activity, you must submit a revised request to me, your Deputy Ethics Official.

If you have any further questions regarding this matter, please contact Jill Metcalf at (617) 918-1088.

Attachments

cc: Jane Downing, Office of Ecosystem Protection, CDW



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION 1
ONE CONGRESS STREET SUITE 1100
BOSTON, MA 02114-2023

MEMORANDUM

DATE: September 27, 2007

SUBJECT: Permission to Engage in Outside Activity for [FOIA Ex. 6]

FROM: Sharon Wells
Senior Assistant Regional Counsel

TO: Ira Leighton
Deputy Ethics Official

CONFIDENTIAL

Attached is a memorandum from [FOIA Ex. 6], Acting Manager of the Drinking Water Unit, Office of Ecosystem Protection, requesting permission to engage in outside activity as Co-Chair of the [FOIA Ex. 6] Bar Association's Wetlands, Waterway and Waterquality Committee. She anticipates that she will engage in this outside activity two to five hours a month outside of her normal duty hours for EPA. [FOIA Ex. 6] will not be compensated for her involvement in this activity. I recommend that she be permitted to engage in this activity as long as the following conditions are met.

1. [FOIA Ex. 6] must be familiar with the terms of 18 U.S.C. §§ 203, 205 and 208, and the Standards of Ethical Conduct for Employees of the Executive Branch (Standards of Conduct), 5 C.F.R. Part 2635, particularly 5 C.F.R. Part 2635, Subparts G and H (which include Office of Government Ethics misuse of position and outside activity regulations). She must also be familiar with 5 C.F.R. § 6401.103. The relevant statutes and regulations can be found at <http://www.usoge.gov>.

[FOIA Ex. 6] should consult with me if any questions of propriety arise and she is unsure of how to resolve these questions in conformity with the above-mentioned statutes and regulations. In addition, if there is a change in the nature or scope of her duties in connection with this outside activity, she should promptly submit a revised request for approval to you.

2. [FOIA Ex. 6] must clearly represent that she is performing the outside activity as a private individual and is not representing EPA or the Federal Government.

3. [FOIA Ex. 6] may not use or permit the use of her official title or position to identify herself in connection with the outside activity. She may, however, include or permit the inclusion of her EPA title or position as one of several biographical details when such information is given to

identify her, provided that her title or position is given no more prominence than other significant biographical details.

4. [FOIA Ex. 6] may not use information obtained as a result of government employment that has not been made available to the general public and would not be made available upon request.

5. [FOIA Ex. 6] is prohibited by criminal statute from acting as an agent (communication with intent to influence) on behalf of either the [FOIA Ex. 6] Bar Association or its Wetlands, Waterway and Waterquality Committee, before any Federal Agencies or courts in matters in which the United States is a party or has a direct and substantial interest.

6. [FOIA Ex. 6] is prohibited by criminal statute from directly participating in her official capacity as an EPA employee in any matter that she, her spouse, minor child, partner, or outside employer has a financial interest.

7. Similarly, [FOIA Ex. 6] must take appropriate steps to avoid an appearance of partiality in the performance of her official duties. Thus, if she is involved in an EPA matter that could have a direct and predictable effect on the financial interests of a person with whom she has a "covered relationship," and knows that a reasonable person could question her partiality in the matter, she should recuse herself from any participation in the matter or seek authorization to continue her involvement from you.

The definition of the term "covered relationship" includes, among other things, close relatives, persons with whom the employee has or seeks a business, contractual or other financial relationship, and any person for whom the employee has, within the last year, served as a consultant, contractor or employee. 5 C.F.R. § 2635.502 (available at http://www.usoge.gov/pages/laws_regs_fedreg_stats/oge_regs).

8. [FOIA Ex. 6] must not make use of normal work hours for the intended outside activity. Any time devoted to this activity during normal work hours must be taken as annual leave, compensatory time, leave without pay, or other authorized absence, with appropriate approval from her supervisor.

9. [FOIA Ex. 6] may not make use of EPA personnel in performing her outside activity.

10. [FOIA Ex. 6] may not make use of EPA office space or equipment in performing her outside activity except as provided in the April 2, 2004 EPA Order entitled Policy on Limited Personal Use of Government Office Equipment, Classification No. 2100.3 A1, available at <http://intranet.epa.gov/rmpolicy/ads/orders>.

Because [FOIA Ex. 6]'s outside activity as a Co-Chair of the [FOIA Ex. 6] Bar Association Wetlands, Waterway and Waterquality Committee presents no actual or apparent conflict with her EPA duties, I recommend that this request be approved, provided that she complies with the Standards of Conduct and the above-mentioned conditions. This approval will be valid for a period of five

years. If [FOIA Ex. 6] continues to engage in this outside activity beyond this five year approval period, she should promptly submit a revised approval request to you before your current approval elapses.

Requests for approval to engage in outside employment or other activity are confidential and may not be disclosed without the employee's consent except to his immediate supervisor, the Deputy Ethics Official, Designated Agency Ethics Official or her alternate, and staff designated to assist them.

Attachments

cc: [FOIA Ex. 6], CDW, Office of Ecosystem Protection Jane
Downing CDW, Office of Ecosystem Protection

Employee Certification

This is to certify:

1. That no official duty time, government property, resources or facilities not available to the general public will be used in connection with my proposed outside activity;
2. I have read, am familiar with, and will abide by the restrictions described in 5 C.F.R. Part 2635 and Section 6401.102.

Date

FOIA Ex. 6

Signature



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

Region 1

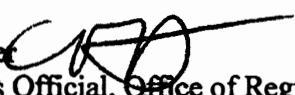
5 Post Office Square, Suite 100

Boston, MA 02109-3912

MEMORANDUM

DATE: December 17, 2013

SUBJ: Permission to Engage in Outside Employment

FROM: Carl F. Dierker 
Deputy Ethics Official, Office of Regional Counsel

TO: [FOIA Ex. 6]
Assistant Regional Counsel, Office of Regional Counsel

CONFIDENTIAL

Pursuant to 5 C.F.R. § 6401.103, I have reviewed your request for permission to engage in outside employment as a consultant for [FOIA Ex. 6]. In this capacity, you will prepare an amicus brief for filing with the Supreme Court on behalf of this organization. You understand that you cannot represent [FOIA Ex. 6] before any part of the federal government while you are a federal employee. As a result, you will file this brief after you resign from federal service.

While serving as a consultant to [FOIA Ex. 6], you anticipate that you will engage in "behind the scenes" preparation of the amicus brief outside of your duty hours for EPA on weekends, evenings, or while you are on annual leave. You anticipate that you will receive no more than [FOIA Ex. 6] as compensation for this activity.

I find that your participation in this outside employment creates neither an actual conflict of interest nor the appearance of a conflict of interest, provided you comply with the attached memorandum from LeAnn Jensen, Assistant Ethics Official. Accordingly, your request is approved. This approval will be valid from the date of this approval until the date of your resignation on or about December 31, 2013. If, however, there is a change in the nature or scope of the duties or services performed or the nature of your business before you resign from federal service, you must submit a revised request to me.

If you have any further questions regarding this matter, please contact Ms. Jensen at (617) 918-1072.

Attachments



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY


Region 1

5 Post Office Square, Suite 100
BOSTON, MA 02109-3912

MEMORANDUM

Date: December 16, 2013

Subject: Permission to Engage in Outside Activity for [FOIA Ex. 6]

From: LeAnn Jensen 
Assistant Ethics Official

To: Carl F. Dierker
Deputy Ethics Official

CONFIDENTIAL

Attached is an application from [FOIA Ex. 6] requesting permission to engage in outside employment as a legal consultant to [FOIA Ex. 6], a non-profit organization. As a GS 14 in ORC, [FOIA Ex. 6] provides legal advice and counseling to internal clients and, when appropriate, legal representation for EPA litigation matters.

[FOIA Ex. 6] has submitted his official resignation from EPA, which will become effective on or about December 31, 2014. After this resignation, [FOIA Ex. 6] will be employed full-time by [FOIA Ex. 6]. Until his departure from EPA, however, he would like to perform work for this organization outside his normal duty hours for EPA. In this capacity, he will prepare an amicus brief for filing with the United States Supreme Court; the brief will be filed after [FOIA Ex. 6] has resigned from federal service. While at EPA, he anticipates that he will devote approximately 10 to 50 hours over the next three weeks to this activity. He will perform this work while on leave or during his off-duty time. He anticipates that he will receive less than [FOIA Ex. 6] as compensation for this activity.

I recommend that [FOIA Ex. 6] be permitted to engage in this outside employment as long as the following conditions are met.

(1) [FOIA Ex. 6] must be familiar with the terms of 18 U.S.C. §§203, 205, and 208, and the Standards of Ethical Conduct for Employees of the Executive Branch, 5 C.F.R. Part 2635 ("Standards of Conduct"), particularly 5 C.F.R. Part 2635, Subparts G and H, which include Office of Government Ethics regulations on misuse of position and outside activities. These statutes and regulations can be found at <http://www.eop.gov>.

[FOIA Ex. 6] must also be familiar with the EPA's regulation on prior approval for outside employment, 5 C.F.R. §6401.103. This regulation can be found at <http://ecfr.gpoaccess.gov/cgi/t/text/text-idx?c=ecfr&tpl=%2Findex.tpl>.

[FOIA Ex. 6] should consult with the Office of Regional Counsel if any questions of propriety arise and he is unsure of how to resolve such questions in conformity with the above-mentioned statutes and regulations. In addition, if there is a change in the nature or scope of his duties in connection with this outside employment, he should promptly submit a revised request for approval to you.

(2) [FOIA Ex. 6] must clearly represent that he is performing the outside employment as a private individual and is not representing EPA or the Federal Government.

(3) [FOIA Ex. 6] may not use or permit the use of his official title or position to identify himself in connection with this outside employment. He may, however, include or permit the inclusion of his EPA title or position as one of several biographical details when such information is given to identify him, provided that his title or position is given no more prominence than other significant biographical details.

(4) [FOIA Ex. 6] may not use information obtained as a result of government employment that has not been made available to the general public and would not be made available upon request.

(5) [FOIA Ex. 6] is prohibited by criminal statute from directly participating in his official capacity as an EPA employee in any matter in which he, his spouse, minor child(ren), partner, or outside employer has a financial interest.

(6) Similarly, [FOIA Ex. 6] must take appropriate steps to avoid an appearance of partiality in the performance of his official duties. Thus, if [FOIA Ex. 6] is involved in an EPA matter that could have a direct and predictable effect on the financial interests of a person with whom he has a "covered relationship," and knows that a reasonable person could question his partiality in the matter, he should recuse himself from any participation in the matter or seek authorization from you to continue his involvement. The definition of the term "covered relationship" includes, among other things, close relatives, persons with whom [FOIA Ex. 6] has or seeks a business, contractual, or other financial relationship, and any person for whom he, within the last year, served as a consultant, contractor, or employee. See 5 C.F.R. (available at <http://www.gpo.gov>). Accordingly, [FOIA Ex. 6] should seek advice from you before he engages in any EPA matter that concerns or could affect Free Speech for People. 82635-502

(7) [FOIA Ex. 6] must not make use of normal work hours for his intended outside employment. Any time devoted to this activity during normal work hours must be taken as annual leave, compensatory time, or leave without pay, with appropriate approval from his supervisor.

- (8) [FOIA Ex. 6] may not make use of EPA personnel in performing his outside employment.
- (9) [FOIA Ex. 6] may not make use of EPA office space or equipment in performing his outside employment.
- (10) [FOIA Ex. 6] may not represent the interests of [FOIA Ex. 6] before the federal government, including any federal agency, department, commission or court, while he is a federal employee .

Because [FOIA Ex. 6] outside employment with [FOIA Ex. 6] represents no actual or apparent conflict with his EPA duties, I recommend that this request be approved, provided that he complies with the Standards of Conduct and the above-mentioned conditions. Your approval will be valid until the date of [FOIA Ex. 6] s resignation from federal service.

Requests for approval to engage in outside employment or other activity are confidential and may not be disclosed without the employee's consent except to his immediate supervisor, the Designated Agency Ethics Official or his alternate, and staff designated to assist them.

Attachment

cc: [FOIA Ex. 6], Assistant Regional Counsel, ORC
Tim Williamson, Deputy Regional Counsel, ORC

Employee Certification

This is to certify:

1. That no official duty time, government property, resources or facilities not available to the general public will be used in connection with my proposed outside activity except as provided for in the April 2, 2004 Order referenced above.
2. I have read, am familiar with, and will abide by the restrictions described in 5 C.F.R. Part 2635 and Section 6401.102.

Dec. 16, 2013

Date


Signature



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION 1
ONE CONGRESS STREET SUITE 1100
BOSTON, MA 02114-2023

MEMORANDUM

DATE: January 31, 2006

SUBJ: Permission to Engage in Outside Employment

FROM: Ira W. Leighton
Deputy Ethics Official *Ira W. Leighton*

TO: [FOIA Ex 6]
Counsel for Special Projects, Office of the Regional Administrator

CONFIDENTIAL

Pursuant to 5 C.F.R. § 6401.103, I have reviewed your request for permission to engage in outside employment as an attorney. You anticipate that you will engage in this outside employment five hours per week outside of your normal duty hours for EPA. You anticipate that you may sometimes be compensated for your work as an attorney.

I find that your participation in this outside employment creates neither an actual conflict of interest nor the appearance of a conflict of interest, provided you comply with the attached memorandum from LeAnn Jensen, Senior Assistant Regional Counsel. Accordingly, your request is approved. This approval is valid for five years from the date of my approval. If, however, there is a change in the nature or scope of the duties or services performed or the nature of your business, you must submit a revised request to your Deputy Ethics Official.

If you have any further questions regarding this matter, please contact Ms. Jensen at (617) 918-1072.

Attachments



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION 1

1 Congress Street, Suite 1100
BOSTON, MA 02114-2023

Memorandum

Date: November 1, 2005

Subj: Permission to Engage in Outside Activity for [FOIA Ex. 6]

From: LeAnn Jensen
Senior Assistant Regional Counsel

To: Ira Leighton
Deputy Ethics Official

CONFIDENTIAL

Attached is a memorandum from [FOIA Ex. 6] requesting permission to engage in outside employment. At EPA, [FOIA Ex. 6] acts as Counsel for Special Projects in the Office of the Regional Administrator and is a grade 15. In this position, [FOIA Ex. 6] manages special projects and provides legal counsel regarding these projects for the Regional Administrator and Deputy Regional Administrator of Region 1. At present, [FOIA Ex. 6] is involved in the Charles River Initiative and the Massachusetts Military Reservation cleanup under a Safe Drinking Water Act order.

[FOIA Ex. 6] has requested permission to engage in outside employment as a lawyer. In this capacity, he will provide legal counsel to private clients. He anticipates that he will engage in this outside activity five hours per week outside of his normal duty hours for EPA. Although he does not expect the vast bulk of this outside activity to be compensated, [FOIA Ex. 6] may, on occasion, be compensated for his outside work as a lawyer.

I recommend that [FOIA EX. 6] be permitted to engage in this activity as long as the following conditions are met.

1. The employee must be familiar with the terms of 18 U.S.C. §§ 203, 205 and 208, and the Standards of Ethical Conduct for Employees of the Executive Branch (Standards of Conduct), 5 C.F.R. Part 2635, particularly 5 C.F.R. Part 2635, Subparts G and H (which include Office of Government Ethics misuse of position and outside activity regulations). He must also be familiar with 5 C.F.R. § 6401.103. The relevant statutes and regulations can be found at <http://www.usoge.gov>.

The employee should consult with me if any questions of propriety arise and he is unsure of how to resolve these questions in conformity with the above-mentioned statutes and regulations. In addition, if there is a change in the nature or scope of his duties in connection with the outside employment, he should promptly submit a revised request for approval to you.

2. The employee must clearly represent that he is performing the outside employment as a private individual and is not representing EPA or the Federal Government.
3. The employee may not use or permit the use of his official title or position to identify himself in connection with the outside employment. He may, however, include or permit the inclusion of his EPA title or position as one of several biographical details when such information is given to identify him, provided that his title or position is given no more prominence than other significant biographical details.
4. The employee may not use information obtained as a result of government employment that has not been made available to the general public and would not be made available upon request.
5. The employee is prohibited by criminal statute from directly participating in his official capacity as an EPA employee in any matter that he, his spouse, minor child, partner, or outside employer has a financial interest.
6. Similarly, the employee must take appropriate steps to avoid an appearance of partiality in the performance of his official duties. Thus, if the employee is involved in an EPA matter that could have a direct and predictable effect on the financial interests of a person with whom he has a "covered relationship," and knows that a reasonable person could question his impartiality in the matter, he should recuse himself from any participation in the matter or seek authorization to continue his involvement from you.

The definition of the term "covered relationship" includes, among other things, close relatives, persons with whom the employee has or seeks a business, contractual or other financial relationship, and any person for whom the employee has, within the last year, served as a consultant, contractor or employee. 5 C.F.R. § 2635.502 (available at http://www.usoge.gov/pages/laws_regs_fedreg_stats/oge_regs/)

7. The employee must not make use of normal work hours for the intended outside employment. Any time devoted to this activity during normal work hours must be taken as annual leave, compensatory time, or leave without pay, with appropriate approval from his supervisor.
8. The employee may not make use of EPA personnel in performing his outside employment.
9. The employee may not make use of EPA office space or equipment in performing his outside employment except as provided in the April 2, 2004 EPA Order entitled Policy on Limited Personal Use of Government Office Equipment, Classification No. 2100.3 A1, available at <http://intranet.epa.gov/rmpolicy/ads/orders>.

Because the employee's outside employment as an attorney presents no actual or apparent conflict with his EPA duties, I recommend that this request be approved, provided that he complies with the Standards of Conduct and the above-mentioned conditions. Your approval will be valid for a period of five years. If [FOIA Ex. 6] continues to engage in this outside activity beyond this five year approval period, he should promptly submit a revised approval request to you before your current approval elapses.

Requests for approval to engage in outside employment or other activity are confidential and may not be disclosed without the employee's consent except to his immediate supervisor, the Deputy Ethics Official, Designated Agency Ethics Official or his alternate, and staff designated to assist them.

Attachments

cc: [FOIA Ex. 6], Counsel for Special Projects, Office of the Regional Administrator

Employee Certification

This is to certify:

1. That no official duty time, government property, resources or facilities not available to the general public will be used in connection with my proposed outside activity;
2. I have read, am familiar with, and will abide by the restrictions described in 5 C.F.R. Part 2635 and Section 6401.102.

2/1/06
Date

FOIA Ex. 6

Signature




UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION 1
FIVE POST OFFICE SQUARE, SUITE 100
BOSTON, MA 02109-3912

MEMORANDUM

DATE: June 15, 2010

SUBJ: Permission to Engage in Outside Employment

FROM: Ira W. Leighton
Deputy Ethics Official 

TO: [FOIA Ex. 6]
Office of Ecosystem Protection

CONFIDENTIAL

Pursuant to 5 C.F.R. § 6401.103, I have reviewed your request for permission to engage in outside employment as a member of the Senior Management Team and Executive Committee of the [FOIA Ex. 6] Association (NEWEA). [FOIA Ex. 6]A is a non-profit organization comprised primarily of wastewater professionals from the consultant, municipal and regulator communities, as well as equipment vendors and manufacturers. You will not receive compensation from [FOIA Ex. 6]A for your service.

You anticipate that you will engage in this outside employment outside of your duty hours for EPA on weekends, evenings, or while you are on annual leave. You should also note that you may not work on EPA matters while engaged in your outside employment, and that you cannot engage in any representational activity before any branch of the federal government on behalf of [FOIA Ex. 6]A. Additionally, you should not represent yourself, or allow others to represent you, as an EPA employee while engaging in activities on behalf of [FOIA Ex. 6]A. Note, however, that if you are teaching, speaking or writing on behalf of [FOIA Ex. 6]A, you may mention your EPA position if it is one of several biographical facts, as long as your EPA position is not given any more prominence than the other biographical facts.

I find that your participation in this outside employment creates neither an actual conflict of interest nor the appearance of a conflict of interest, provided you comply with the attached memorandum from LeAnn Jensen, Senior Assistant Regional Counsel. Accordingly, your request is approved. This approval is valid for five years from the date of my approval. If,

however, there is a change in the nature or scope of the duties or services performed for
[FOIA Ex. 6]A, you must submit a revised request to your Deputy Ethics Official.

If you have any further questions regarding this matter, please contact Ms. Jensen at (617) 918-1072.

Attachment




UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION 1
FIVE POST OFFICE SQUARE, SUITE 100
BOSTON, MA 02109-3912

MEMORANDUM

DATE: April 15, 2010

SUBJECT: Permission to Engage in Outside Activity for [FOIA Ex. 6]

FROM: LeAnn W. Jensen 
Senior Assistant Regional Counsel

TO: Ira W. Leighton
Deputy Ethics Official

CONFIDENTIAL

Attached is a memorandum from [FOIA Ex. 6] requesting permission to engage in outside employment as a member of the Senior Management Team and Executive Committee of the [FOIA Ex. 6] Association ([FOIA Ex. 6]A). At EPA Region 1, Mr. Janson is the Branch Chief of the Technical Enforcement Office in the Office of Environmental Stewardship. As the Technical Enforcement Office Branch Chief, Mr. Janson supervises the Air, Water, Toxics and Pesticides, and RCRA, EPCRA and Federal Program Offices.

In his outside capacity, [FOIA Ex. 6] is currently the President of [FOIA Ex. 6]A. [FOIA Ex. 6]A is a non-profit organization comprised primarily of wastewater professionals from the consultant, municipal, and regulator communities, as well as equipment vendors and manufacturers. It has approximately 2,100 members.

[FOIA Ex. 6] anticipates that he will engage in this outside activity approximately 160 hours per year. Approximately 100 hours of this activity will be performed during duty hours. I have informed [FOIA Ex. 6] that he must take leave from EPA when he is engaged in his outside employment as a [FOIA Ex. 6]A representative during his duty hours. The remaining 60 hours of [FOIA Ex. 6]'s work for [FOIA Ex. 6]A will be performed outside of his EPA duty hours on nights and weekends.

I recommend that [FOIA Ex. 6] be permitted to engage in this activity as long as the following conditions are met.

1. The employee must be familiar with the terms of 18 U.S.C. §§ 203, 205 and 208, and the Standards of Ethical Conduct for Employees of the Executive Branch (Standards of Conduct), 5 C.F.R. Part 2635, particularly 5 C.F.R. Part 2635, Subparts G and H (which include Office of

with 5 C.F.R. § 6401.103. The relevant statutes and regulations can be found at <http://www.usoge.gov>.

In particular, [FOIA Ex. 6] should be aware that 18 U.S.C. §§ 203 and 205 prohibit employees of the executive branch from providing representational services, as agent or attorney or otherwise, in relation to any proceeding, application, request for a ruling or other determination, contract, claim, controversy, charge, accusation, arrest, or other particular matter in which the United States is a party or has a direct and substantial interest, before any department, agency, court, or commission. As a result, [FOIA Ex. 6] may not represent [FOIA Ex. 6]A in any matter in which the United States is a party or has a direct or substantial interest. If such a situation should arise, [FOIA Ex. 6] should immediately recuse himself from the matter and/or seek counseling from me.

In addition, [FOIA Ex. 6] should consult with me if any questions of propriety arise and he is unsure of how to resolve these questions in conformity with the above-mentioned statutes and regulations. In addition, if there is a change in the nature or scope of his duties in connection with the outside employment, he should promptly submit a revised request for approval to you.

2. The employee must clearly represent that he is performing the outside employment as a private individual and is not representing EPA or the federal government.
3. The employee may not use or permit the use of his official title or position to identify himself in connection with this outside employment.
4. The employee may not use information obtained as a result of government employment that has not been made available to the general public and would not be made available upon request.
5. The employee is prohibited by criminal statute from directly participating in his official capacity as an EPA employee in any matter that he, his spouse, minor child, partner, or outside employer has a financial interest.
6. Similarly, the employee must take appropriate steps to avoid an appearance of partiality in the performance of his official duties. Thus, if the employee is involved in an EPA matter that could have a direct and predictable effect on the financial interests of a person with whom he has a "covered relationship," and knows that a reasonable person could question his partiality in the matter, he should recuse himself from any participation in the matter or seek authorization to continue his involvement from you.

The definition of the term "covered relationship" includes, among other things, close relatives, persons with whom the employee has or seeks a business, contractual or other financial relationship, and any person for whom the employee has, within the last year, served as a consultant, contractor or employee. 5 C.F.R. § 2635.502 (available at http://www.usoge.gov/pages/laws_regs_fedreg_stats/oge_regs.)

7. The employee must not make use of normal work hours for the intended outside employment. Any time devoted to this activity during normal work hours must be taken as annual leave, compensatory time, or leave without pay, with appropriate approval from his supervisor.

8. The employee may not make use of EPA personnel in performing his outside employment.

9. The employee may not make use of EPA office space or equipment in performing this outside employment.

10. The employee must understand that although EPA may accept the gift of travel expenses offered by non-federal sources, including [FOIA Ex. 6]A, under the Ethics Reform Act of 1990

1. U.S.C. 53),

the travel must be reviewed by you and approved by OGC well in advance of the travel dates. As a result, although [FOIA Ex. 6]A may offer to pay for Mr Janson's travel to events to act as an EPA representative (for example, to give a speech on behalf of EPA), this travel must be approved in advance by you, and it must be made clear to the outside organization that [FOIA Ex. 6] is acting on behalf of EPA, not [FOIA Ex. 6]A.

Because the employee's outside employment as a member of the Senior Management Team and Executive Committee of [FOIA Ex. 6]A presents no actual or apparent conflict with his EPA duties, I recommend that this request be approved, provided that he complies with the Standards of Conduct and the above-mentioned conditions. Your approval will be valid for a period of five years. If [FOIA Ex. 6] continues to engage in this outside activity beyond this five year approval period, or if the nature of the activity, as described above and in the attached memorandum, changes, he should promptly submit a revised approval request to you.

Requests for approval to engage in outside employment or other activity are confidential and may not be disclosed without the employee's consent except to his immediate supervisor, the Deputy Ethics Official, Designated Agency Ethics Official or his alternate, and staff designated to assist them.

Attachments

cc: [FOIA Ex. 6], Branch Chief, Technical Enforcement Office, Office of Environmental Stewardship
Sam Silverman, Deputy Director, Office of Environmental Stewardship

Employee Certification

This is to certify:

1. That no official duty time, government property, resources or facilities not available to the general public will be used in connection with my proposed outside activity; and
2. I have read, am familiar with, and will abide by the restrictions described in 5 C.F.R. Part 2635 and Section 6401.102.

10 June 2010
Date

Roger A. Tamm
Signature

MEMORANDUM

SUBJECT: Request for Approval of Outside Activity

FROM: [FOIA Ex. 6]


TO: Sarah Dunham, Director
Office of Atmospheric Programs (6201-J)

THRU: Reynaldo Forte *RF*

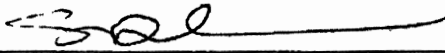
This memorandum is to request your approval of outside activity (cf., 5CFR, Subpart H, Section 2635.803, Standards of Ethical Conduct for Employees of the Executive Branch). The following sections of this memorandum provide you with the information that you will need to make a determination.

- **Full name, title and grade:** [FOIA Ex. 6], *EPS, GS-15*
- **Nature of outside employment, including a full description of the services to be performed and the amount (if any) of compensation expected:** *lecture at a series on "Air Pollution Control in China" at [FOIA Ex. 6] University's [FOIA ex. 6] Engineering School. The course series will occur during the evening of April 5, 2012. I will lecture on the evolution of air pollution control policies in Asia. The university will provide a [FOIA Ex. 6] honorarium.*
- **Name and business of person or organization where work will be done. In cases of self-employment, indicate the type of service to be rendered and estimate the number of clients or customers anticipated during the next 6 months:** [FOIA Ex. 6] *University [FOIA Ex. 6] School of Engineering, [FOIA Ex. 6]*
- **Estimated time to be devoted to activity:** *5-10 hours*
- **Whether service will be performed entirely outside of normal duty hours. If not, estimate number of hours absence from work required:** *all work will be performed outside of normal duty hours and no absence is necessary.*
- **Statement that no official duty time or Government property, resources, or facilities not available to the general public will be used in connection with the outside employment:** *No official duty time or Government property, resources, or facilities not available to the general public will be used in connection with the outside employment.*
- **The basis for compensation (e.g., fee, per diem, per annum, etc.):** *honorarium*
- **Identify any EPA assistance agreements or contracts held by a person to whom (or for whom) services would be provided:** *I am not aware of any EPA assistance agreements or contracts held by [FOIA Ex. 6] School of Engineering.*

I have also read, and will abide by the restrictions described in 5CFR part 2635 and 6401.102.


_____ I approve of this activity

_____ I do not approve of this activity



Sarah Dunham, Director
Office of Atmospheric Programs



United States Environmental Protection Administration
Washington, DC 20460

Office of Air and Radiatic

MEMORANDUM

SUBJECT: Request for Approval of Outside Activity

FROM: [FOIA Ex. 6]

TO: Sarah Dunham, Director
Office of Atmospheric Programs (6201-J)

THRU: Reynaldo Forte *RF 2/14/13*

This memorandum is to request your approval of outside activity (cf., 5CFR, Subpart H, Section 2635.803, Standards of Ethical Conduct for Employees of the Executive Branch). The following sections of this memorandum provide you with the information that you will need to make a determination.

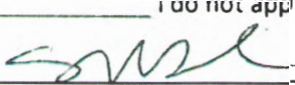
- *Full name, title and grade:* [FOIA Ex. 6], EPS, GS-15
- *Nature of outside employment, including a full description of the services to be performed and the amount (if any) of compensation expected:* lecture at a series on "Air Pollution Control in China" at [FOIA Ex. 6] University's [FOIA Ex. 6] Engineering School. The course series will occur during the evening of April 4, 2013. I will lecture on the evolution of air pollution control policies in Asia. The university will provide a [FOIA Ex. 6] honorarium.
- *Name and business of person or organization where work will be done. In cases of self-employment, indicate the type of service to be rendered and estimate the number of clients or customers anticipated during the next 6 months:* [FOIA Ex. 6] University [FOIA Ex. 6] School of Engineering, [FOIA Ex. 6]
- *Estimated time to be devoted to activity:* 5 hours
- *Whether service will be performed entirely outside of normal duty hours. If not, estimate number of hours absence from work required:* all work will be performed outside of normal duty hours and no absence is necessary.

- *Statement that no official duty time or Government property, resources, or facilities not available to the general public will be used in connection with the outside employment:* No official duty time or Government property, resources, or facilities not available to the general public will be used in connection with the outside employment.
- *The basis for compensation (e.g., fee, per diem, per annum, etc.):* honorarium
- *Identify any EPA assistance agreements or contracts held by a person to whom (or for whom) services would be provided:* I am not aware of any EPA assistance agreements or contracts held by [FOIA Ex. 6] School of Engineering.

I have also read, and will abide by the restrictions described in 5CFR part 2635 and 6401.102.

 I approve of this activity

_____ I do not approve of this activity


 Sarah Dunham, Director
 Office of Atmospheric Programs

MEMORANDUM

DATE: 8/12/08

SUBJECT: Response to Request for Approval for Outside Employment Dated July 29, 2008

FROM: Brian McLean, Deputy Ethics Official

THRU: Reynaldo Forte

TO: [FOIA Ex 6]

Based on my reading of this request and of 5 CFR part 2635 and § 6401.102, I have determined that this outside employment ~~is~~ is not expected to involve conduct prohibited by statute or regulation, including 5 CFR part 2635 and § 6401.102. Therefore your request for outside employment is [APPROVED/~~REJECTED~~]. This [approval/~~rejection~~] pertains to the requested actions over the period from September 8, 2008 to September 12, 2008.

If there is a change in the nature or scope of the duties performed or the nature of your business, you must submit a revised request for review approval.



Brian McLean, Deputy Ethics Official

Date: 8/12/08

MEMORANDUM

DATE: July 29, 2008

SUBJECT: Request for Approval for Outside Employment

FROM: [FOIA Ex. 6], **Environmental Protection Specialist, GS-15**

THRU: Reynaldo Forte

TO: Brian McLean, Deputy Ethics Official

I am formally requesting permission to accept an opportunity to teach a course on "Environmental Policy Design and Implementation in the U.S. and Asia" which is offered by the [FOIA Ex. 6] Partnership. The *Supplemental Standards of Ethical Conduct for Employees of the Environmental Protection Agency* (5CFR §6401.103) requires that the employee's request for approval of outside employment shall be submitted in writing to his Deputy Ethics Official. This memorandum serves that purpose.

The course, *Civil and Environmental Engineering 271Y – Environmental Policy Design and Implementation in the U.S. and Asia*, is a part of the [FOIA Ex. 6] Partnership – a joint program of [FOIA Ex. 6] University and [FOIA Ex. 6] University. The course will be offered September 8-12, 2008 at [FOIA Ex. 6] University in Singapore. During the course, I will lecture on 1) air quality policies in Asia, 2) acid rain control options in Asia, 3) compliance decision making, and 4) cap and trade design options. I estimate that the course, including preparation, will require 60-80 hours, all of which will be performed entirely outside of normal duty hours. In return for my participation, I will receive a [FOIA Ex. 6] honorarium, travel expenses (international air, local transit), and lodging expenses at the University's Executive Centre.

The *Standards of Ethical Conduct for Employees of the Executive Branch* (5CFR §2635.807(a)(3)) provides that an employee may accept compensation for teaching a course requiring multiple presentations by the employee if the course is offered as part of the regularly established curriculum of an institution of higher education as defined at 20 U.S.C. 1141(a). This course is offered each Fall term for graduate students in [FOIA Ex. 6] University's Environmental Science and Engineering program.

I will use no official duty time or Government property, resources, or facilities not available to the general public in this endeavor. I have read, am familiar with, and will abide by the restrictions described in 5 CFR part 2635 and § 6401.102.

[FOIA Ex. 6]

MEMORANDUM

July 25, 2011

SUBJECT: Request for Approval of Outside Activity

FROM: [FOIA Ex. 6]
Clean Air Markets Division, Office of Atmospheric Programs (6204-J)

TO: Elizabeth Craig, Acting Director
Office of Atmospheric Programs (6201-J)

This memorandum is to request your approval of outside activity (cf., 5CFR, Subpart H, Section 2635.803, Standards of Ethical Conduct for Employees of the Executive Branch). The following sections of this memorandum provide you with the information that you will need to make a determination.

- *Full name, title and grade:* [FOIA Ex. 6], EPS, GS-15
- *Nature of outside employment, including a full description of the services to be performed and the amount (if any) of compensation expected:*

I am pursuing a PhD from [FOIA Ex. 6] University, [FOIA Ex. 6]. As part of the degree program I must research and write a dissertation focused on the costs and benefits of pollution control in China. In addition to the dissertation, I must publish at least four peer-reviewed articles in scientific or professional journals. While much the focus of the dissertation is on pollution control and pollution-related health impacts in China, the research may include information about pollution control and pollution-related health impacts in the US and other countries. As a result, I may collect publicly-available data, models, or reports from the web sites of EPA, EIA, DOE, FERC, or other US agency. These data, models, or reports will be collected outside of official time using personal resources (e.g., computer and Internet access).

As part of the research, I will be reviewing international experiences and data. Parts of the dissertation and some of the peer-reviewed articles may relate to US industrial sectors (e.g., electricity generation) regulated by EPA. However, the dissertation and articles will not review or assess any EPA policies, programs, or operations. The articles may review policies, programs, or operations of China, a country with which EPA has extensive cooperation.

The articles will list my affiliation with [FOIA Ex. 6] University and may or may not list my EPA affiliation. Any articles submitted for publication and listing my EPA affiliation will contain the following disclaimer approved by OGC (see attachment):

This work is not a product of the United States Government or the United States Environmental Protection Agency (EPA), and the author is not doing this work in any governmental capacity. The views expressed are those of the author only and do not necessarily represent those of the United States or EPA.

No compensation will be received for my services.

- *Name and business of person or organization where work will be done. In cases of self-employment, indicate the type of service to be rendered and estimate the number of clients or customers anticipated during the next 6 months:*

Institution: [FOIA Ex 6] University, [FOIA Ex 6]

Advisor: Academician [FOIA Ex 6]

- *Estimated time to be devoted to activity:* 3,000 hours over several years
- *Whether service will be performed entirely outside of normal duty hours. If not, estimate number of hours absence from work required:*

Services will be performed outside of normal duty hours. A small amount of personal leave (i.e., annual leave) may be used.

- *Statement that no official duty time or Government property, resources, or facilities not available to the general public will be used in connection with the outside employment:*

No Government property, resources, or facilities not available to the general public will be used in connection with this activity. Research and writing activities will occur outside official duty time.

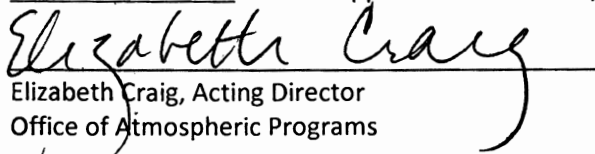
- *The basis for compensation (e.g., fee, per diem, per annum, etc.):* No compensation
- *Identify any EPA assistance agreements or contracts held by a person to whom (or for whom) services would be provided.*

[FOIA Ex 6] University does serve as a sub-contractor on one or more EPA contracts. However, I will not participate in any EPA-[FOIA Ex 6] programs or discussions about EPA-[FOIA Ex 6] programs outside my official capacity. To the best of my knowledge, my PhD research does not contradict with any EPA assistance agreements or contracts between EPA and [FOIA Ex 6].

I have also read, and will abide by the restrictions described in 5CFR part 2635 and 6401.102.

 I approve of this activity

_____ I do not approve of this activity


Elizabeth Craig, Acting Director
Office of Atmospheric Programs

MEMORANDUM

DATE: July 29, 2008

SUBJECT: Request for Approval for Outside Employment

15

FROM: [FOIA Ex. 6], **Environmental Protection Specialist, GS-15**

THRU: Reynaldo Forte  r2

TO: Brian McLean, Deputy Ethics Official

I am formally requesting permission to accept an opportunity to teach a course on "Environmental Policy Design and Implementation in the U.S. and Asia" which is offered by the [FOIA Ex. 6] Partnership. The *Supplemental Standards of Ethical Conduct for Employees of the Environmental Protection Agency* (5CFR §6401.103) requires that the employee's request for approval of outside employment shall be submitted in writing to his Deputy Ethics Official. This memorandum serves that purpose.

The course, *Civil and Environmental Engineering 271Y – Environmental Policy Design and Implementation in the U. and Asia*, is a part of the [FOIA Ex. 6] Partnership – a joint program of [FOIA Ex. 6] University and [FOIA Ex. 6] University. The course will be offered September 8-12, 2008 at [FOIA Ex. 6] University in [FOIA Ex. 6]. During the course, I will lecture on 1) air quality policies in Asia, 2) acid rain control options in Asia, 3) compliance decision making, and 4) cap and trade design options. I estimate that the course, including preparation, will require 60-80 hours, all of which will be performed entirely outside of normal duty hours. In return for my participation, I will receive a [FOIA Ex. 6] honorarium, travel expenses (international air, local transit), and lodging expenses at the University's Executive Centre.

The *Standards of Ethical Conduct for Employees of the Executive Branch* (5CFR §2635.807(a)(3)) provides that an employee may accept compensation for teaching a course requiring multiple presentations by the employee if the course is offered as part of the regularly established curriculum of an institution of higher education as defined at 20 U.S.C. 1141(a). This course is offered each Fall term for graduate students in [FOIA Ex. 6] University's Environmental Science and Engineering program.

I will use no official duty time or Government property, resources, or facilities not available to the general public in this endeavor. I have read, am familiar with, and will abide by the restrictions described in 5 CFR part 2635 and § 6401.102.

[FOIA Ex. 6]

Request approved
Brian McLean 8/4/08



**UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION 1
FIVE POST OFFICE SQUARE, SUITE 100
BOSTON, MA 02109-3912**

MEMORANDUM

DATE: July 22, 2010

SUBJ: Permission to Engage in Outside Employment

FROM: Ira W. Leighton
Deputy Ethics Official

TO: [FOIA Ex. 6]
Senior Enforcement Counsel
Office of Ecosystem Protection

CONFIDENTIAL

Pursuant to 5 C.F.R. § 6401.103, I have reviewed your request for permission to engage in outside employment as a member of the [FOIA Ex. 6] Institute (FOIA Ex. 6) Board of Directors. [FOIA Ex. 6] is a non-profit organization that reaches out to and educates young adults on stewardship of the Gulf of Maine region. As a board member, you will help provide overview guidance, raise funds for operations, and set policies for [FOIA Ex. 6]. You will not be paid by [FOIA Ex. 6] and anticipate that you will devote approximately 2-4 days per year to this activity, which will be performed outside your EPA duty hours.

I find that your participation in this outside employment creates neither an actual conflict of interest nor the appearance of a conflict of interest, provided you comply with the attached memorandum from LeAnn Jensen, Senior Assistant Regional Counsel. Accordingly, your request is approved. This approval is valid for five years from the date of my approval. If, however, there is a change in the nature or scope of the duties or services performed for [FOIA Ex. 6], you must submit a revised request to your Deputy Ethics Official.

If you have any further questions regarding this matter, please contact Ms. Jensen at (617) 918-1072.

Attachment

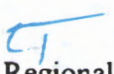


**UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION 1
FIVE POST OFFICE SQUARE, SUITE 100
BOSTON, MA 02109-3912**

MEMORANDUM

DATE: July 21, 2010

SUBJECT: Permission to Engage in Outside Activity for [FOIA Ex. 6]

FROM: LeAnn Jensen 
Senior Assistant Regional Counsel

TO: Ira W. Leighton
Deputy Ethics Official

CONFIDENTIAL

Attached is a memorandum from [FOIA Ex. 6] requesting permission to engage in outside employment as a member of the [FOIA Ex. 6] Institute (FOIA Ex. 6) Board of Directors. As an EPA employee, [FOIA Ex. 6] is a senior enforcement counsel in OES involved in cleanup and regulatory enforcement matters.

[FOIA Ex. 6] has requested permission to engage in outside employment as a GOMI board member. GOMI is a not-for-profit organization that reaches out to and educates young adults on stewardship of the Gulf of Maine region. As a board member, [FOIA Ex. 6] will help provide overview guidance, raise funds for operations, and set policies. [FOIA Ex. 6] will not be paid for this outside activity. He anticipates that he will devote approximately 2-4 days per year to this activity, which will be performed outside his EPA duty hours.

I recommend that [FOIA Ex. 6] be permitted to engage in this activity as long as the following conditions are met.

1. The employee must be familiar with the terms of 18 U.S.C. §§ 203, 205 and 208, and the Standards of Ethical Conduct for Employees of the Executive Branch (Standards of Conduct), 5 C.F.R. Part 2635, particularly 5 C.F.R. Part 2635, Subparts G and H (which include Office of Government Ethics misuse of position and outside activity regulations). He must also be familiar with 5 C.F.R. § 6401.103. The relevant statutes and regulations can be found at <http://www.usoge.gov>.

The employee should consult with me if any questions of propriety arise and he is unsure of how to resolve these questions in conformity with the above-mentioned statutes and regulations. In addition, if there is a change in the nature or scope of his duties in connection with the outside employment, he should promptly submit a revised request for approval to you.

2. The employee must clearly represent that he is performing the outside employment as a private individual and is not representing EPA or the Federal Government.
3. The employee may not use or permit the use of his official title or position to identify himself in connection with the outside employment. He may, however, include or permit the inclusion of his EPA title or position as one of several biographical details when such information is given to identify him, provided that his title or position is given no more prominence than other significant biographical details.
4. The employee may not use information obtained as a result of government employment that has not been made available to the general public and would not be made available upon request.
5. The employee is prohibited by criminal statute from directly participating in his official capacity as an EPA employee in any matter that he, his spouse, minor child, partner, or outside employer has a financial interest.
6. Similarly, the employee must take appropriate steps to avoid an appearance of partiality in the performance of his official duties. Thus, if the employee is involved in an EPA matter that could have a direct and predictable effect on the financial interests of a person with whom he has a "covered relationship," and knows that a reasonable person could question his partiality in the matter, he should recuse himself from any participation in the matter or seek authorization to continue his involvement from you. The definition of the term "covered relationship" includes, among other things, close relatives, persons with whom the employee has or seeks a business, contractual or other financial relationship, and any person for whom the employee has, within the last year, served as a consultant, contractor or employee. 5 C.F.R. § 2635.502 (available at http://www.usoge.gov/pages/laws_regs_fedreg_stats/oge_regs.)
Accordingly, [FOIA Ex. 6]
should seek advice from you before he engages in any EPA matter that concerns or could affect [FOIA Ex. 6].
7. The employee must not make use of normal work hours for the intended outside employment. Any time devoted to this activity during normal work hours must be taken as annual leave, compensatory time, or leave without pay, with appropriate approval from his supervisor.
8. The employee may not make use of EPA personnel in performing his outside employment.
9. The employee may not make use of EPA office space or equipment in performing his outside employment except as provided in the April 2, 2004 EPA Order entitled Policy on Limited

Personal Use of Government Office Equipment, Classification No. 2100.3 A1, available at <http://intranet.epa.gov/rmpolicy/ads/orders>.

Because the employee's outside employment as a member of the [FOIA Ex. 6] Board of Directors represents no actual or apparent conflict with his EPA duties, I recommend that this request be approved, provided that he complies with the Standards of Conduct and the above-mentioned conditions. Your approval will be valid for a period of five years. If [FOIA Ex. 6] continues to engage in this outside activity beyond this five year approval period, he should promptly submit a revised approval request to you before your current approval elapses.

Requests for approval to engage in outside employment or other activity are confidential and may not be disclosed without the employee's consent except to his immediate supervisor, the Deputy Ethics Official, Designated Agency Ethics Official or his alternate, and staff designated to assist them

Attachment

cc: Susan Studlien, Director, Office of Environmental Stewardship
[FOIA Ex. 6], Senior Enforcement Counsel, Office of Environmental Stewardship

Employee Certification

This is to certify:

1. That no official duty time, government property, resources or facilities not available to the general public will be used in connection with my proposed outside activity except as provided for in the April 2, 2004 Order referenced above;
2. I have read, am familiar with, and will abide by the restrictions described in 5 C.F.R. Part 2635 and Section 6401.102.

7/21/10
Date

[Signature] FOIA Ex. 6
Signature

UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
National Center for Environmental Assessment

OFFICE OF
RESEARCH AND DEVELOPMENT

DATE: 3/27/12

SUBJECT: Request for approval of outside activity

FROM: [FOIA Ex. 6] Director,
NCEA-RTP

TO: Darrell Winner,
Acting Deputy Director, NCEA

As required by C.F.R. Title 5 Chapter LIV Part 6401.103, I am requesting your approval to participate in the outside employment/activity described below. I understand that this approval must be obtained in advance of initiating or committing to the performance of this activity and is approved only as specified in the information given below or for a period of five years.

Approval shall be granted in writing and only upon a determination that the outside employment is not expected to involve conduct prohibited by statute or Federal regulation, including 5 CFR part 2635 and § 6401.102.

- 1) **Employee's name, title and grade:**
[FOIA Ex. 6], Director, NCEA-RTP Division, Title 42
- 2) **Nature of the outside activity, including a full description of the services to be performed and the amount of compensation** to be expected:**

Review of preliminary chapters of a textbook under development by Steve Sternberg titled : *Air Pollution Engineering & Science*. There are twelve chapters, a preface, and table-of-contents. The publisher will compensate me [FOIA Ex. 6] for my review including addressing these questions:
What courses would this work be suitable for in your curriculum? Note the backgrounds of the students entering the course.

* What textbooks would this work most likely compete with? Based on your reading of the chapters does the planned work seem likely to offer a better option for teachers than the available texts?

* Is the proposed text one you could envision adopting for your own class. Please offer specific details to support your assessment.

* How can this work be improved? Please comment on a wide range of issues--chapter content, chapter organization, clarity and adequacy of the narrative, suitability and sufficiency of end-of-chapter problems and mid-chapter worked examples, and the quality of the illustration program. Please offer detailed comments to support your observations and specific advice on how to improve the work.

* Feel free to comment on anything else that comes to mind to help us publish this work successfully.

- 3) The name and business of the person or organization for which the work will be done-- (in cases of self-employment, indicate the types of services to be rendered and estimate the number of clients or customers anticipated during the next 6 months):

[FOIA Ex 6], Publisher

College Publishing www.collegepublishing.us

- 4) The estimated time (hours/days) to be devoted to the activity; (Please indicate exact dates if known.):

Review is anticipated to take 8 hours during mid-April to mid-May, 2012

- 5) Whether the service will be performed entirely outside of normal duty hours (yes or no)

Yes, entirely outside normal duty hours.

- 6) The basis for compensation (e.g., fee, per hour, per diem, per annum, etc.) including actual expenses for meeting-related travel, honorarium or other compensation: Amount offered by publisher for the review.

- 7) Identification of any assistance agreements or contracts held by the person to or for whom services will be provided. (Must be answered--if not known by employee, please state so; if agreements or contracts are known, indicate the employee's involvement, if any.)

None known.

* Employment means any form of non-Federal employment, business relationship, or activity involving the provision of personal services by the employee, whether or not for compensation. It includes but is not limited to personal services as an officer, director, employee, agent, attorney, consultant, contractor, general partner, trustee, teacher or speaker. It includes writing when done under an arrangement with another person for production or publication of the written product. It does not, however, include participation in the activities of a nonprofit charitable, religious, professional, social, fraternal, educational, recreational, public service, or civic organization, unless activities

are for compensation other than reimbursement for expenses.

****Compensation includes any form of consideration, remuneration or income, including royalties, given for or in connection with employee's speaking or writing activities. Unless accepted under specific statutory authority, such as 31 U.S.C. 1353, 5 U.S.C. 4111 or 7342, or an agency gift acceptance statute, it includes transportation, lodging and meals, whether provided in kind, by purchase of a ticket, by payment, in advance or by reimbursement after the expense has been incurred.**

1) **EMPLOYEE CERTIFICATION**

a) I certify that the information contained in this request is complete and accurate and that I have provided all the information pertinent for the Deputy Ethics Official to make an informed decision on this matter.

b) I certify that I have read, am familiar with, and will abide by the restrictions described in 5 C.F.R. parts 2635 and § 6401;

c) I certify that no official duty time or Government property, resources, or facilities not available to the general public will be used in connection with this outside employment/activity (unless otherwise stated above.)

d) I certify that if there is a change in the scope of the duties or services performed or the nature of my business, I will submit a revised request for approval.

e) I certify that I will not represent EPA nor will I use my official EPA title, except as in a list of biographical information, in which case my EPA title is given no more prominence than other significant biological details.

f) I certify that the invitation to engage in this activity was extended to me primarily because of my expertise in this particular subject matter and *not because of my official position.*

g) I certify that the invitation to engage in this activity or the offer of compensation was *not* extended to me, directly or indirectly, by a person who has interests that may be affected substantially by the performance or non-performance of my duties.

h) I certify that the information conveyed through this activity does not draw substantially on ideas or official data that are nonpublic information; the subject does not deal in significant part with any matter to which I am currently assigned (working on as an EPA employee) or have been assigned during the previous one-year period or any ongoing or announced policy, program, or operation of the agency.

i) I certify that I will not use or permit the use of my official title or position to

identify me in connection with this activity or to promote any book, seminar, course, program or similar undertaking except as one of several biographical details in connection with an article published in a scientific or professional journal, provided that the title or position is accompanied by a reasonably prominent disclaimer indicating that the views expressed do not necessarily represent the views of the agency or the US.

F.O.A. Ex 6
Employee's signature

3/27/12
Date

2)

DEPUTY ETHICS OFFICIAL APPROVAL

APPROVAL Staff w. W

3/27/12
Date

DISAPPROVAL _____

Date




UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
NATIONAL HEALTH AND ENVIRONMENTAL EFFECTS
RESEARCH LABORATORY
RESEARCH TRIANGLE PARK, NC 27711

OFFICE OF
RESEARCH AND DEVELOPMENT

DATE: April 3, 1996

SUBJ: Request for Approval to Participate in the Dose-Response Specialty Group of the Society for Risk Analysis

FROM: [FOIA Ex. 6], Assistant NHEERL/RTP Director (MD-51A) 

TO: Lawrence W. Reiter, Director
NHEERL/RTP (MD-51)

I am requesting your approval to participate in the activity described below. I understand that this approval must be obtained in advance of initiating this activity and is approved only as indicated below.

a) Employee's name, title and grade;

[FOIA Ex. 6], Assistant Laboratory Director for Multimedia Programs, GM-15

b) Nature of the outside activity, including a full description of the services to be performed and the amount of compensation to be expected.*

Executive Committee Member-at-large to the Dose-Response Specialty Group of the [FOIA Ex. 6]. The [FOIA Ex. 6] is a professional society which provides a focal point for new developments in risk analysis for scientists from a wide range of disciplines. [FOIA ex. 6] is a charter member of the Dose-Response Specialty Group, which is officially sanctioned by the [FOIA Ex. 6]. [FOIA Ex. 6] anticipates participation in executive council and specialty group meeting teleconferences. There is no compensation for this elected position.

c) The name and business of the person or organization for which the work will be done (in cases of self-employment, indicate the types of services to be rendered and estimate the number of clients or customers anticipated during the next 6 months);

Dose-Response Specialty Group of the [FOIA Ex. 6]

d) The estimated time to be devoted to the activity; (Please indicate exact dates if known)

Estimated at 2 hours per month.

e) Whether the service will be performed entirely outside of normal duty hours (if not, estimate the number of hours of absence from work required; if annual leave is requested, please provide a copy of approved SF-71);

Approximately 2 hours per month will be performed during normal duty hours (monthly teleconference using the EPA phone bridge). Pursuant to Bulletin 96-1 from the Committee on Integrity and Management Improvement, it is requested that these hours not be charged to annual leave. No travel support to attend these meetings will be requested.

f) The assistance agreements or contracts involved, if the outside activity will involve consulting or professional services to institutions which have or may seek federal assistance or contracts.

None

* Compensation includes any form of consideration, remuneration or income, including royalties, given for or in connection with employee's speaking or writing activities. Unless accepted under specific statutory authority, such as 31 USC 1353, 5 USC 4111 or 7342, or an agency gift acceptance statute, it includes transportation, lodging and meals, whether provided in kind, by purchase of a ticket, by payment, in advance or by reimbursement after the expense has been incurred.

APPROVAL



5/28/96

Excluded leave is approved. Date

DISAPPROVAL

Date

UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
National Center for Environmental Assessment

OFFICE OF
RESEARCH AND DEVELOPMENT

DATE: 5/25/2011

SUBJECT: Request for approval of outside activity

[FOIA Ex. 6]

Director, NCEA-RTP, B243-01

TO: Darrell Winner
Acting Deputy Director, NCEA

As required by C.F.R. Title 5 Chapter LIV Part 6401.103, I am requesting your approval to participate in the outside employment/activity described below. I understand that this approval must be obtained in advance of initiating or committing to the performance of this activity and is approved only as specified in the information given below or for a period of five years.

shall be in writing and a determination that the outside
is not to involve conduct statute or Federal regulation,
including 5 CFR part 2635 and § 102.

1) Employee's title and grade:

[FOIA Ex. 6], R.F.P., Title 42

2) Nature of the outside activity, including a full of the services
to be performed amount of compensation** to be expected:

Reviewer of book manuscript titled "Mercury, Mining, and Empire: The Human and Ecological Cost of Colonial Silver Mining in the Andes" by Nicholas Robins. Service includes reading 200 page book; writing review of approximately 100 words. No compensation.

3) The name and business of the person or organization for which the work
will be - (in cases of self-employment, indicate the types of services to
be rendered and estimate the number of clients or customers anticipated
during the next 6 months):

[FOIA ex. 6], Bloomington, t 47404-3797

- 4) The estimated time (hours/days) to be devoted to the activity; (Please indicate exact dates if known.):

May 2011, total of 7 hours to read the book and write review.

- 5) Whether the service will be performed entirely outside of normal duty hours (yes or no)

Yes, entirely outside normal duty hours.

- 6) The basis for compensation (e.g., fee, per hour, per diem, per annum, etc.) including actual expenses for meeting-related travel, honorarium or other compensation:

No compensation except courtesy copy of the book for review.

- 7) Identification of any assistance agreements or contracts held by the person to or for whom services will be provided. (Must be answered if not known by employee, please state so; if agreements or contracts are known, indicate the employee's involvement, if any.)

None that I'm aware of.

* Employment means any form of non-Federal employment, business relationship, or activity involving the provision of personal services by the employee, whether or not for compensation. It includes but is not limited to personal services as an officer, director, employee, agent, attorney, consultant, contractor, general partner, trustee, teacher or speaker. It includes writing when done under an arrangement with another person for production or publication of the written product. It does not, however, include participation in the activities of a nonprofit charitable, religious, professional, social, fraternal, educational, recreational, public service, or civic organization, unless activities are for compensation other than reimbursement for expenses.

**Compensation includes any form of consideration, remuneration or income, including royalties, given for or in connection with employee's speaking or writing activities. Unless accepted under specific statutory authority, such as 31 U.S.C. 1353, 5 U.S.C. 4111 or 7342, or an agency gift acceptance statute, it includes transportation, lodging and meals, whether provided in kind, by purchase of a ticket, by payment, in advance or by reimbursement after the expense has been incurred.

1) **EMPLOYEE CERTIFICATION**

a) I certify that the information contained in this request is complete and accurate and that I have provided all the information pertinent for the Deputy Ethics Official to make an informed decision on this matter.

b) I certify that I have read, am familiar with, and will abide by the restrictions described in 5 C.F.R. parts 2635 and § 6401;

c) I certify that no official duty time or Government property, resources, or facilities not available to the general public will be used in connection with this outside employment/activity (unless otherwise stated above.)

d) I certify that if there is a change in the scope of the duties or services performed or the nature of my business, I will submit a revised request for approval.

e) I certify that I will not represent EPA nor will I use my official EPA title, except as in a list of biographical information, in which case my EPA title is given no more prominence than other significant biological details.

f) I certify that the invitation to engage in this activity was extended to me primarily because of my expertise in this particular subject matter and *not because of my official position.*

g) I certify that the invitation to engage in this activity or the offer of compensation was *not* extended to me, directly or indirectly, by a person who has interests that may be affected substantially by the performance or non-performance of my duties.

h) I certify that the information conveyed through this activity does not draw substantially on ideas or official data that are nonpublic information; the subject does not deal in significant part with any matter to which I am currently assigned (working on as an EPA employee) or have been assigned during the previous one-year period or any ongoing or announced policy, program, or operation of the agency.

i) I certify that I will not use or permit the use of my official title or position to identify me in connection with this activity or to promote any book, seminar, course, program or similar undertaking except as one of several biographical details in connection with an article published in a scientific or professional journal, provided that the title or position is accompanied by a reasonably prominent disclaimer indicating that the views expressed do not necessarily represent the views of the agency or the US.

FOIA Ex 6
Employee's signature

5/24/2011
Date

2) **DEPUTY ETHICS OFFICIAL APPROVAL**

APPROVAL *D. A. [Signature]*

6/29/11
Date

DISAPPROVAL _____

Date

UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
National Center for Environmental Assessment

OFFICE OF
RESEARCH AND DEVELOPMENT

May 25, 2011

SUBJECT: Request for Approval to Engage in Outside Employment*
or Other Outside Activity

FROM: [FOIA Ex. 6]
NCEA-RTP B243-01

TO: Darrell Winner
Acting Deputy Director,

As required by C.F.R. Title 5 Chapter LIV Part 6401.103, I am requesting your approval to participate in the outside employment/activity described below. I understand that this approval must be obtained in advance of initiating or committing to the performance of this activity and is approved only as specified in the information given below or for a period of five years.

Approval shall be granted in writing and only upon a determination the outside employment not expected involve conduct prohibited by statute or Federal regulation, including 5 CFR part 2635 § 6401.102.

*[Note: Please not delete or alter the information
do not answer "N/A"]*

Completely answer each

- 1) Employee's name, title and grade;

[FOIA Ex. 6], Director, NCEA-RTP ivis n 1, Title 42

- 2) Nature of the outside activity, including a full description of the services to be performed and the amount of compensation to be expected; **

Professor at the Nicholas School of the Environment,

including student mentoring and annual teaching of a semester-long graduate level course titled "Air Quality Management". No compensation is provided for position as adjunct professor nor for student mentoring. Compensation is provided annually for teaching the course in the amount of approximately \$y [FOIA Ex. 6], increasing by approximately 3% per year.

3) The name and business of the person or organization for which the work will be done:

Nicholas School of the Environment, [FOIA Ex. 6] University, [FOIA Ex. 6].

(in cases of self-employment, indicate the types of services to be rendered and estimate the number of clients or customers anticipated during the next 6 months);

Services rendered include mentoring of approximately 1 student per year, and teaching of a course titled "Air Quality Management" with enrollment of approximately 30 graduate students per year in the fall semester.

4) The estimated time (hours/days) to be devoted to the activity; (Please indicate exact dates if known.) _____

For student mentoring approximately 24 hours per year; exact dates spread throughout the academic year. For teaching, approximately 100 hours per year (none during work duty hours); the Air Quality Management course is taught Monday nights from late August until mid-December, each year.

5) Whether the service will be performed entirely outside of normal duty hours (yes or no)

For student mentoring, most discussions occur outside normal duty hours but sometimes meetings or student presentations are scheduled during normal duty hours, amounting to not more than approximately 4 hours per year during normal duty hours. De minimus use of EPA email system to remotely check for emails received to the Duke email system may occur during work hours, amounting to not more than approximately 8 hours during normal duty hours per year (mostly during the fall semester).

For teaching, service is performed entirely outside of normal duty hours, or annual leave is requested if time is needed (e.g., for field trips) during normal duty hours; the amount of annual leave requested, if any, is anticipated to be less than 12 hours per year on dates to be determined and SF-71 forms will be provided at such times.

(if no, estimate the number of hours of absence from work required; if leave is requested, please provide a copy of approved SF-71);

6) The basis for compensation (e.g., fee, per hour, per diem, per annum, etc.); _____
actual expenses for meeting-related travel, no

per- honorario or other compensation

Compensation is based on course agreement, currently

7) Identification of any assistance agreements or contracts held by the person to or for whom services will be provided. (Must be answered—if not known by employee, please state so; if agreements or contracts are known, indicate the employee's involvement, if any.)

None known _____

* Employment means any form of non-Federal employment, business relationship, or activity involving the provision of personal services by the employee, whether or not for compensation. It includes but is not limited to personal services as an officer, director, employee, agent, attorney, consultant, contractor, general partner, trustee, teacher or speaker. It includes writing when done under an arrangement with another person for production or publication of the written product. It does not, however, include participation in the activities of a nonprofit charitable, religious, professional, social, fraternal, educational, recreational, public service, or civic organization, unless activities are for compensation other than reimbursement for expenses.

**Compensation includes any form of consideration, remuneration or income, including royalties, given for or in connection with employee's speaking or writing activities. Unless accepted under specific statutory authority, such as 31 U.S.C. 1353, 5 U.S.C. 4111 or 7342, or an agency gift acceptance statute, it includes transportation, lodging and meals, whether provided in kind, by purchase of a ticket, by payment, in advance or by reimbursement after the expense has been incurred.

1) **EMPLOYEE CERTIFICATION**

a) I certify that the information contained in this request is complete and accurate and that I have provided all the information pertinent for the Deputy Ethics Official to make an informed decision on this matter.

b) I certify that I have read, am familiar with, and will abide by the restrictions described in 5 C.F.R. parts 2635 and § 6401;

c) I certify that no official duty time or Government property, resources, or facilities not available to the general public will be used in connection with this outside employment/activity (unless otherwise stated above.)

d) I certify that if there is a change in the scope of the duties or services performed or the nature of my business, I will submit a revised request for approval.

e) I certify that I will not represent EPA nor will I use my official EPA title, except as in a list of biographical information, in which case my EPA title is given no more prominence than other significant biological details.

For teaching, speaking or writing, also include the following certifications:

f) I certify that the invitation to engage in this activity was extended to me primarily because of my expertise in this particular subject matter and *not because of my official position.*

g) I certify that the invitation to engage in this activity or the offer of compensation was *not* extended to me, directly or indirectly, by a person who has interests that may be affected substantially by the performance or non-performance of my duties.

h) I certify that the information conveyed through this activity does not draw

substantially on ideas or official data that are nonpublic information; the subject does not deal in significant part with any matter to which I am currently assigned (working on as an EPA employee) or have been assigned during the previous one-year period or any ongoing or announced policy, program, or operation of the agency.

i) I certify that I will not use or permit the use of my official title or position to identify me in connection with this activity or to promote any book, seminar, course, program or similar undertaking except as one of several biographical details in connection with an article published in a scientific or professional journal, provided that the title or position is accompanied by a reasonably prominent disclaimer indicating that the views expressed do not necessarily represent the views of the agency or the US.

F.O.I.A Ex 6 5/25/11
Employee's signature Date

2)

DEPUTY ETHICS OFFICIAL APPROVAL

APPROVAL [Signature] 6/29/11
Date

DISAPPROVAL _____
Date



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
National Health and Environmental Effects Research
Laboratory

OFFICE OF
RESEARCH AND DEVELOPMENT

DATE: May 30, 1997

SUBJECT: Request for Approval to Participate in a Scientific or
Other Professional Activity as Official Duty

FROM: [FOIA Ex. 6], for Air Programs
NHEERL/OD (MD-51A)

TO: Lawrence W. Reiter (MD-51)
DEO for IO/MCD and RASD

Consistent with EPA's current policy (memo by former Administrator Lee M. Thomas, dated November 26, 1986) which encourages employees to assume leadership roles in job-related professional societies and associations, I am requesting your approval to participate in the professional activity described below as part of my official duty.

- 1) Employee's name, title and grade;

[FOIA ex. 6], Ph.D.
Assistant Director for Air Programs, GM-15

- 2) Position or office to be served, including a full description of the services to be performed;

Member, Scientific Advisory Panel (SAP)
The role of the advisory board is "in developing NUATRC research proposals and recommendations to the Board on awarding research contracts. In addition, the SAP has developed and continues to implement the [NUATRC] Center's Strategic Research Plan". (citation from letter of invitation to join the SAP)

- 3) The name and address of the organization to be served; providing details on the purpose of the organization;

Mickey Leland National Urban Air Toxics Research Center
(NUATRC)
P.O. Box 20286
Houston, TX 77225-0286

Quoting from the letter of invitation, "...the NUATRC is a Clean Air Act-authorized, private/public sector environmental health research center, established by Congress to address air toxics health risks through a peer-reviewed scientific research program."

- 4) Is this organization a non-profit or not-for-profit organization?

It is a non-profit [501(C)(3)] entity.

- 5) Does this organization have advocacy or financial interests which may be affected by EPA decisions? If so, what is your role in these decisions?

The NUATRC is funded by EPA via a Congressional appropriation and through private sector contributions from major U.S. firms. EPA decisions regarding the President's Budget may affect NUATRC funding, and I play a role in the development of the President's Budget proposal.

- 6) The term and dates of service/office;

Service would begin upon approval of this application. The bylaws of NUATRC indicate a six year term of service; however, if the position on the SAP being filled by me is due to a vacancy occurring prior to expiration of a member's full term, then the appointment is only for the remainder of that specific term. In my case, the reason for the vacancy is not exactly known, so the term is therefore not known, but is not to exceed six years.

- 7) The estimated amount of duty hours to be devoted to the activity, including the estimated amount of excused leave requested to participate in this activity;

An estimate of five days per year is anticipated.

- 8) Describe EPA facilities, equipment, supplies and other resources which will be used in the conduct of this activity;

Routine telephone calls, faxing and mail/email resources are anticipated to be used.

9) Is this organization currently the recipient of an EPA assistance agreement or an EPA contractor? If so, please provide details.

The NUATRC is funded by EPA via a Congressional appropriation and through private sector contributions from major U.S. firms. The EPA funding is via an assistance agreement managed by the National Center for Exploratory Research and Quality Assurance of the Office of Research and Development.

10) Describe the facilities, equipment, supplies and other resources which will be provided by the scientific or professional organization in the conduct of this activity;

None.

11) Will the conduct of this activity require that you attend and participate in business/organizational meetings of this organization? If so, estimate the amount of time required and the frequency of these meetings.

Participation in two meetings per year of approximately 1.5 days in duration is anticipated.

12) Will the conduct of the activity require that you represent this organization before any Federal Agencies? If so, please describe your role in doing so.

No

13) Will the organization be providing travel expenses to EPA in association with the conduct of this activity? If so, please describe.

Support for travel (airfare, accommodations) for two meetings per year is anticipated. NUATRC staff have informed me that funds to cover any expenses related to my travel would come from non-federal sources (they receive industry support in addition to the EPA funds).

1) **EMPLOYEE CERTIFICATION**

a) I certify that the information contained in this request is complete and accurate and that I have provided all the information pertinent for the Deputy Ethics Official to make an informed decision on this matter.

b) I certify that I have read, am familiar with, and will abide by the restrictions described in EPA Ethics Advisories 89-19 and 92-04.

c) I certify that I am providing the services described

above to promote and enhance the role of EPA in accomplishing its mission.

d) I certify that in accordance with EPA's policy on participation in professional job-related organizations, I will only use reasonable amounts of official duty time, Government property, resources, and facilities in connection with this activity.

e) I certify that if there is a change in the scope of the duties or services performed or the nature of my business, I will submit a revised request for approval.

f) I certify that the conduct of this activity does not present a conflict of interest with the performance of my official duties.

g) I certify that because I am requesting to perform this activity as part of my official duty using EPA resources and during official duty hours, I will not accept any form of compensation other than my Federal salary for the conduct of this activity.

h) I certify that I will not participate in any EPA matter which specifically involves this organization.

****Compensation includes any form of consideration, remuneration or income, including royalties, given for or in connection with employee's speaking or writing activities. Unless accepted under specific statutory authority, such as 31 U.S.C. 1353, 5 U.S.C. 4111 or 7342, or an agency gift acceptance statute, it includes transportation, lodging and meals, whether provided in kind, by purchase of a ticket, by payment, in advance or by reimbursement after the expense has been incurred.**

FOIA EX. 6

Employee's signature

5/30/97
Date

2)

DEPUTY ETHICS OFFICIAL APPROVAL

APPROVAL

2 b2

6/1/97
Date

DISAPPROVAL

Date

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UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
National Center for Environmental Assessment

OFFICE OF
RESEARCH AND DEVELOPMENT

DATE: June 14, 2012

SUBJECT: Request for Approval to Engage in Outside Employment*
or Other Outside Activity

FROM: [FOIA Ex. 6]
NCEA-RTP
B243-01

TO: Darrell Winner
Acting Deputy Director, NCEA

As required by C.F.R. Title 5 Chapter LIV Part 6401.103, I am requesting your approval to participate in the outside employment/activity described below. I understand that this approval must be obtained in advance of initiating or committing to the performance of this activity and is approved only as specified in the information given below or for a period of five years.

Approval shall be granted in writing and only upon a determination that the outside employment is not expected to involve conduct prohibited by statute or Federal regulation, including 5 CFR part 2635 and § 6401.102.

[Note: Please do not delete or alter the information requested. Completely answer each item—do not answer "N/A"]

1) Employee's name, title and grade;

[FOIA Ex. 6], Director, NCEA-RTP Division, Title 42

2) Nature of the outside activity, including a full description of the services to be performed and the amount of compensation to be expected;**

Adjunct Professor at the Nicholas School of the Environment, [FOIA Ex. 6] University. Responsibilities including student mentoring and annual teaching of a semester-long graduate level course titled "Air Quality Management". No compensation is provided for position as adjunct professor nor for student mentoring. Compensation is provided annually for teaching the course in the amount of approximately [FOIA Ex. 6], increasing by an estimated 3% per year.

3) The name and business of the person or organization for which the work will be done:

[FOIA Ex. 6] School of the Environment, [FOIA Ex. 6] University, [FOIA Ex. 6].

(in cases of self-employment, indicate the types of services to be rendered and estimate the number of clients or customers anticipated during the next 6 months);

Services rendered include mentoring of approximately 1 student per year, and teaching of a course titled "Air Quality Management" with enrollment of approximately 30 graduate students per year in the fall semester.

4) The estimated time (hours/days) to be devoted to the activity; (Please indicate exact dates if known.)_____

For student mentoring approximately 24 hours per year; exact dates spread throughout the academic year. For teaching, approximately 100 hours per year (none during work duty hours); the Air Quality Management course is taught Monday nights from late August until mid-December, each year.

5) Whether the service will be performed entirely outside of normal duty hours (yes or no)

For student mentoring, most discussions occur outside normal duty hours but sometimes meetings or student presentations are scheduled during normal duty hours, amounting to not more than approximately 4 hours per year during normal duty hours. De minimus use of EPA email system to remotely check for emails received to the Duke email system may occur during work hours, amounting to not more than approximately 8 hours during normal duty hours per year (mostly during the fall semester).

For teaching, service is performed entirely outside of normal duty hours, or annual leave is requested if time is needed (e.g., for field trips) during normal duty hours; the amount of annual leave requested, if any, is anticipated to be less than 12 hours per year on dates to be determined and SF-71 forms will be provided at such times.

(if no, estimate the number of hours of absence from work required; if leave is requested, please provide a copy of approved SF-71);

6) The basis for compensation (e.g., fee, per hour, per diem, per annum, etc.);_ actual expenses for meeting-related travel, no honorarium or other compensation
Compensation is based on per-course agreement, currently estimated at [FOIA Ex. 6]

7) Identification of any assistance agreements or contracts held by the person to or for whom services will be provided. (Must be answered—if not known by employee, please state so; if agreements or contracts are known, indicate the employee's involvement, if any.)

None known _____

* Employment means any form of non-Federal employment, business relationship, or activity involving the provision of personal services by the employee, whether or not for compensation. It includes but is not limited to personal services as an **officer, director, employee, agent, attorney, consultant, contractor, general partner, trustee, teacher or speaker**. It includes writing when done under an arrangement with another person for production or publication of the written product. It does not, however, include participation in the activities of a nonprofit charitable, religious, professional, social, fraternal, educational, recreational, public service, or civic organization, unless activities are for compensation other than reimbursement for expenses.

**Compensation includes any form of consideration, remuneration or income, including royalties, given for or in connection with employee's speaking or writing activities. Unless accepted under specific statutory authority, such as 31 U.S.C. 1353, 5 U.S.C. 4111 or 7342, or an agency gift acceptance statute, it includes transportation, lodging and meals, whether provided in kind, by purchase of a ticket, by payment, in advance or by reimbursement after the expense has been incurred.

1)

EMPLOYEE CERTIFICATION

a) I certify that the information contained in this request is complete and accurate and that I have provided all the information pertinent for the Deputy Ethics Official to make an informed decision on this matter.

b) I certify that I have read, am familiar with, and will abide by the restrictions described in 5 C.F.R. parts 2635 and § 6401;

c) I certify that no official duty time or Government property, resources, or facilities not available to the general public will be used in connection with this outside employment/activity (unless otherwise stated above.)

d) I certify that if there is a change in the scope of the duties or services performed or the nature of my business, I will submit a revised request for approval.

e) I certify that I will not represent EPA nor will I use my official EPA title, except as in a list of biographical information, in which case my EPA title is given no more prominence than other significant biographical details.

For teaching, speaking or writing, also include the following certifications:

f) I certify that the invitation to engage in this activity was extended to me primarily because of my expertise in this particular subject matter and *not because of my official position*.

g) I certify that the invitation to engage in this activity or the offer of compensation was *not* extended to me, directly or indirectly, by a person who has interests that may be affected substantially by the performance or non-performance of my duties.

h) I certify that the information conveyed through this activity does not draw

substantially on ideas or official data that are nonpublic information; the subject does not deal in significant part with any matter to which I am currently assigned (working on as an EPA employee) or have been assigned during the previous one-year period or any ongoing or announced policy, program, or operation of the agency.

i) I certify that I will not use or permit the use of my official title or position to identify me in connection with this activity or to promote any book, seminar, course, program or similar undertaking except as one of several biographical details in connection with an article published in a scientific or professional journal, provided that the title or position is accompanied by a reasonably prominent disclaimer indicating that the views expressed do not necessarily represent the views of the agency or the US.

[FOIA Ex. 6] 6/14/12
Employee's signature _____ Date _____

2)

DEPUTY ETHICS OFFICIAL APPROVAL

APPROVAL [Signature] 6/15/12
Date _____

DISAPPROVAL _____
Date _____



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
National Center for Environmental Assessment

OFFICE OF
RESEARCH AND DEVELOPMENT

DATE: June 23, 2005

SUBJECT: Request for Approval to Engage in Outside Employment*
or Other Outside Activity

FROM: [FOIA Ex. 6], PhD
(8601D)

TO: Peter Preuss
Deputy Ethics Official (8601D)

As required by C.F.R. Title 5 Chapter LIV Part 6401.103, I am requesting your approval to participate in the outside employment/activity described below. I understand that this approval must be obtained in advance of initiating or committing to the performance of this activity and is approved only as specified in the information given below or for a period of five years.

Approval shall be granted in writing and only upon a determination that the outside employment is not expected to involve conduct prohibited by statute or Federal regulation, including 5 CFR part 2635 and § 6401.102.

[Note: Please do not delete or alter the information requested. Completely answer each item—do not answer "N/A"]

- 1) Employee's name, title and grade;
[FOIA Ex. 6], Associate Director for Health, SL
- 2) Nature of the outside activity, including a full description of the services to be performed and the amount of compensation to be expected;**
Adjunct Professor at the [FOIA Ex. 6] School of the Environment, [FOIA Ex. 6] University. Responsibilities including mentoring of students and annual teaching of a semester-long graduate level course titled "Air Quality Management". No compensation is provided for position as adjunct professor nor for student mentoring. Compensation is provided annually for teaching the course in the amount of [FOIA Ex. 6], increasing by approximately 3 to 5% per year.
- 3) The name and business of the person or organization for which the work will

be done:

[FOIA Ex. 6] School of the Environment, [FOIA Ex. 6] University, [FOIA Ex. 6].

(in cases of self-employment, indicate the types of services to be rendered and estimate the number of clients or customers anticipated during the next 6 months);

Services rendered include mentoring of approximately 2 students per year, and teaching of a course titled "Air Quality Management" with enrollment of approximately 18 students per year

4) The estimated time (hours/days) to be devoted to the activity; (Please indicate exact dates if known.) _____

For student mentoring approximately 20 hours per year; exact dates unknown.

For teaching, approximately 100 hours per year (none during work duty hours); the Air Quality Management course is taught Monday nights from late August until mid-December, each year.

5) Whether the service will be performed entirely outside of normal duty hours (yes or no)

For student mentoring, most discussions occur outside normal duty hours but sometimes meetings or student presentations are scheduled during normal duty hours, amounting to not more than approximately 10 hours during normal duty hours per year.

For teaching, service is performed entirely outside of normal duty hours, or annual leave is requested if time is needed (e.g., for field trips) during normal duty hours; the amount of leave requested, if any, is anticipated to be less than 8 hours per year.

(if no, estimate the number of hours of absence from work required; if leave is requested, please provide a copy of approved SF-71);

6) The basis for compensation (e.g., fee, per hour, per diem, per annum, etc.);_ actual expenses for meeting-related travel, no honorarium or other compensation
Compensation is based on per-course agreement, currently estimated at [FOIA Ex. 6]

7) Identification of any assistance agreements or contracts held by the person to or for whom services will be provided. (Must be answered—if not known by employee, please state so; if agreements or contracts are known, indicate the employee's involvement, if any.)

None known _____

* Employment means any form of non-Federal employment, business relationship, or activity involving the provision of personal services by the employee, whether or not for compensation.

It includes but is not limited to personal services as an **officer, director, employee, agent, attorney, consultant, contractor, general partner, trustee, teacher or speaker**. It includes writing when done under an arrangement with another person for production or publication of the written product. It does not, however, include participation in the activities of a nonprofit charitable, religious, professional, social, fraternal, educational, recreational, public service, or civic organization, unless activities are for compensation other than reimbursement for expenses.

****Compensation** includes any form of consideration, remuneration or income, including royalties, given for or in connection with employee's speaking or writing activities. Unless accepted under specific statutory authority, such as 31 U.S.C. 1353, 5 U.S.C. 4111 or 7342, or an agency gift acceptance statute, it includes transportation, lodging and meals, whether provided in kind, by purchase of a ticket, by payment, in advance or by reimbursement after the expense has been incurred.

1)

EMPLOYEE CERTIFICATION

a) I certify that the information contained in this request is complete and accurate and that I have provided all the information pertinent for the Deputy Ethics Official to make an informed decision on this matter.

b) I certify that I have read, am familiar with, and will abide by the restrictions described in 5 C.F.R. parts 2635 and § 6401;

c) I certify that no official duty time or Government property, resources, or facilities not available to the general public will be used in connection with this outside employment/activity (unless otherwise stated above.)

d) I certify that if there is a change in the scope of the duties or services performed or the nature of my business, I will submit a revised request for approval.

e) I certify that I will not represent EPA nor will I use my official EPA title, except as in a list of biographical information, in which case my EPA title is given no more prominence than other significant biological details.

For teaching, speaking or writing, also include the following certifications:

f) I certify that the invitation to engage in this activity was extended to me primarily because of my expertise in this particular subject matter and *not because of my official position*.

g) I certify that the invitation to engage in this activity or the offer of compensation was *not* extended to me, directly or indirectly, by a person who has interests that may be affected substantially by the performance or non-performance of my duties.

h) I certify that the information conveyed through this activity does not draw substantially on ideas or official data that are nonpublic information; the subject does not deal in significant part with any matter to which I am currently assigned (working on as an EPA employee) or have

been assigned during the previous one-year period or any ongoing or announced policy, program, or operation of the agency.

i) I certify that I will not use or permit the use of my official title or position to identify me in connection with this activity or to promote any book, seminar, course, program or similar undertaking except as one of several biographical details in connection with an article published in a scientific or professional journal, provided that the title or position is accompanied by a reasonably prominent disclaimer indicating that the views expressed do not necessarily represent the views of the agency or the US.

[FOIA Ex. 6]

Employee's signature

Date

6/27/05

2)

DEPUTY ETHICS OFFICIAL APPROVAL

APPROVAL

RW Brown

Date

06/27/05

DISAPPROVAL

Date



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

HEALTH EFFECTS RESEARCH LABORATORY
RESEARCH TRIANGLE PARK
NORTH CAROLINA 27711

DATE: July 19, 1991

SUBJECT: Request for Administrative Approval of Outside Employment

FROM: FOIA EX 6, Ph.D. ✓
RIHRA Director, HERL (MD-51)

TO: Lawrence W. Reiter, Ph.D. ✓
Designated Ethics Official (MD-51)

THRU: Harold Zenick, Ph.D. ✓
Deputy Director, HERL (MD-51)

As required by the EPA Manual of Employee Responsibilities and Conduct as published in 40 CFR Part 3, paragraph 3.508, I submit the following request for administrative approval of outside employment in the prescribed format as detailed in Appendix A of the paragraph:

- a. Name, title and federal salary: [FOIA Ex 6], RIHRA Director, GM-14
- b. Nature of outside activity: Instructor of graduate-level course titled "Principles of Air Quality Management" during the fall semester, 1991. The amount of compensation is estimated to be [FOIA Ex 6].
- c. Person or organization for which the work will be done: School of the Environment, [FOIA Ex 6] University, [FOIA Ex 6]
- d. Estimated total time devoted to the activity: 120 hours
- e. When services are performed: Not during duty hours
- f. No federal grants or contracts will be involved in this work
- g. I have compared the particulars of the requested outside activity to the guidelines and limitations contained in 3.502 of EPA's Outside Employment Regulation and hereby state that there is no conflict anticipated.
- h. I will submit a revised request for approval should there be a change in the nature or scope of the outside activity described above.

Approved: _____

Designated Ethics Official

Date: _____

7/26/91

UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
HEALTH EFFECTS RESEARCH LABORATORY
RESEARCH TRIANGLE PARK, NC 27711

OFFICE OF
RESEARCH AND DEVELOPMENT

August 18, 1992

SUBJECT: Request for Administrative Approval of Outside

FROM: [FOIA Ex 6], RIHRA Director
Health Effects Research Laboratory (MD-51)

TO: Lawrence W. Reiter, Designated Ethics Official
Health Effects Research Laboratory (MD-51)

THRU: Harold Zenick, Deputy Director
Health Effects Research Laboratory (MD-51)

As required by the EPA Manual of Employee Responsibilities and Conduct as published in 40 CFR Part 3, paragraph 3.508, I submit the following request for administrative approval of outside employment in the prescribed format as detailed in Appendix A of the paragraph:

- a. Name, title and federal salary: [FOIA Ex, 6], RIHRA Director, GM-14
- b. Nature of outside activity: Instructor of graduate-level course titled "Air Quality Management" during the fall semester, 1992-1994. The amount of compensation is estimated to be [FOIA Ex 6] per year. I have a 3-year appointment as adjunct assistant professor and I intend to teach this course during the fall semester for the next three years.
- c. Person or organization for which the work will be done: School of the Environment, [FOIA Ex 6] University, [FOIA Ex 6].
- d. Estimated total time devoted to the activity: 150 hours per year.
- e. When services are performed: not during duty hours. Classes are in the evening.
- f. No federal grants or contracts will be involved in this work.
- g. I have compared the particulars of the requested outside activity to the guidelines and limitations contained in 3.502 of EPA's Outside Employment Regulation and hereby state that there is no conflict anticipated.
- h. I will submit a revised request for approval should there be a change in the nature or scope of the outside activity described above.

Approved:
Designated Ethics Official



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
HEALTH EFFECTS RESEARCH LABORATORY
RESEARCH TRIANGLE PARK, NC 27711

OFFICE OF
RESEARCH AND DEVELOPMENT

DATE: August 18, 1993

SUBJ: Request for Approval to Engage in Outside Employment
or Other Outside Activity

FROM: [FOIA EX. 6], Associate Laboratory Director of
for Multimedia Programs, HERL (MD-51A)

TO: Lawrence W. Reiter, Deputy Ethics Official
HERL (MD-51)

THRU: Hal Zenick, Deputy Director
Health Effects Research Laboratory (MD-51)

As required by 40 CFR, Chapter 1, Subpart E, Appendix A, I am requesting your approval to participate in the outside activity described below. I understand that this approval is effective from the date of your signature for a period not to exceed 1 year and must be resubmitted and approved annually.

a) Employee's name, title and grade:

[FOIA ex. 6] ALD for Multimedia Programs, GM-15

b) Nature of the outside activity, including a full description of the services to be performed and the amount of compensation to be expected;

Teaching of a semester long, graduate level course at the School of the Environment of [FOIA Ex. 6] University. The course title is Air Quality Management and it has been taught by me for the last three years. The semester runs from August 31 through December 18, 1993, and classes are taught from 5:35 pm to 6:50 pm Mondays and Wednesdays. The compensation for teaching is anticipated to be [FOIA Ex. 6].

c) The name and business of the person or organization for which the work will be done (in cases of self-employment, indicate the types of services to be rendered and estimate the number of clients or customers anticipated during the next 6 months):

School of Environment, [FOIA Ex. 6] University, [FOIA Ex. 6]

d) The estimated time to be devoted to the activity:

110 hours during the period from August 28 through December 20, 1993.

e) Whether the service will be performed entirely outside of normal duty hours (if not, estimate the number of hours of absence from work required):

Activity is performed entirely outside of normal duty hours. The classroom teaching time is not during duty hours and preparation and other activities, including the preparation of materials, handouts, slides, etc., will not occur during duty hours.

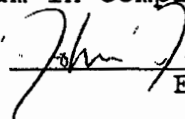
f) The assistance agreements or contracts involved, if the outside activity will involve consulting or professional services to institutions which have or may seek federal assistance or contracts.

None

* Compensation includes any form of consideration, remuneration or income, including royalties, given for or in connection with employee's speaking or writing activities. Unless accepted under specific statutory authority, such as 31 USC 1353, 5 USC 4111 or 7342, or an agency gift acceptance statute, it includes transportation, lodging and meals, whether provided in kind, by purchase of a ticket, by payment, in advance or by reimbursement after the expense has been incurred.

I) **EMPLOYEE CERTIFICATION**

I certify that the above information is complete and accurate. In addition, I certify that I have read "Standards of Ethical Conduct for Employees of the Executive Branch" and EPA 40 CFR, Chapter 1, Subpart E, and I am in compliance with these regulations.

_____
Employee's signature

8/23/93
Date

II) **DEPUTY ETHICS OFFICIAL APPROVAL**

APPROVAL _____

8/25/93
Date

DISAPPROVAL _____

Date

[FOIA Ex. 6]

NHEERL ETHICS FAX COVERSHEET

| | | | |
|---|----------------|--|--|
| ROUTING/DISTRIBUTION LIST | | Date: 9/11/97 | |
| TO: Bob Dyer | Initial | Date | |
| | | | |
| | | | |
| | | | |
| | | | |
| REMARKS: | | | |
| Attached is the <u>approved</u> disapproved request to participate in an outside activity for <u>[FOIA Ex. 6]</u> | | | |
| → Please distribute to this employee and notify them that they should keep a copy for their files. | | | |
| If there are any questions, please give me a call. | | | |
| Thanks. | | | |
| NUMBER OF PAGES, INCLUDING THIS SHEET: <u>6</u> | | | |
| From: Karen Dean, DEO Advisor | | Phone: 919/541-5037 FAX: 919/541-0317 | |
| | | Room: M-320 | |



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
NATIONAL HEALTH AND ENVIRONMENTAL EFFECTS
RESEARCH LABORATORY
RESEARCH TRIANGLE PARK, NC 27711

OFFICE OF
RESEARCH AND DEVELOPMENT

DATE: August 26, 1997

SUBJ: Request for Approval to Engage in Outside Employment
or Other Outside Activity

FROM: [FOIA Ex. 6], Assistant Director for Air
OD/NHEERL (MD-51A)

TO: Lawrence W. Reiter (MD-51)
DEO for IO/MCD and RASD

THRU: for Bob Dyer
OD/NHEERL (MD-51A)

Title 5 Chapter LIV Part 6401.103
As required by 40 CFR, § 3.508 and Subpart A, Appendix A, I am requesting your approval to participate in the outside activity described below. I understand that this approval must be obtained in advance of initiating this activity and is approved only as indicated below.

a) Employee's name, title and grade;

[FOIA Ex. 6], Assistant Laboratory Director for Air Programs, GM-15

b) Nature of the outside activity, including a full description of the services to be performed and the amount of compensation to be expected;*

This Request for Approval is submitted for authorization to continue teaching the graduate level course Air Quality Management, and to teach the graduate level course Human Health and Environmental Risks Assessment, for which a total of [FOIA Ex. 6] compensation is anticipated. The air quality course has been taught in the fall semester every year since 1991 and the risk assessment course has been taught in the spring semester since 1996. As this is an ongoing activity, this Request for Approval is for authorization to continue to teach for the next 5 years.

c) The name and business of the person or organization for which the work will be done (in cases of self-employment, indicate the types of services to be rendered and estimate the number of clients or customers anticipated during the next 6 months);

[FOIA Ex. 6] Schol o f t e nvironment, [FOIA Ex. 6] University, [FOIA Ex. 6]

d) The estimated time to be devoted to the activity; (Please indicate exact dates if known)

Estimated to total 175 hours annually for the next 5 years.

e) Whether the service will be performed entirely outside of normal duty hours (if not, estimate the number of hours of absence from work required; if annual leave is requested, please provide a copy of approved SF-71);

The class meets Monday evenings from 6:00-8:45 pm, which is outside of normal duty hours. Annual leave will be used for any activities (e.g., a 4 hour field trip is planned to visit a power plant) occurring during normal duty hours.

f) The assistance agreements or contracts involved, if the outside activity will involve consulting or professional services to institutions which have or may seek federal assistance or contracts.

None

* Compensation includes any form of consideration, remuneration or income, including royalties, given for or in connection with employee's speaking or writing activities. Unless accepted under specific statutory authority, such as 31 USC 1353, 5 USC 4111 or 7342, or an agency gift acceptance statute, it includes transportation, lodging and meals, whether provided in kind, by purchase of a ticket, by payment, in advance or by reimbursement after the expense has been incurred.

1)

EMPLOYEE CERTIFICATION

I certify that the information contained in this request is complete and accurate and that I have provided all the information pertinent for the DEO to make an informed decision on this matter. In addition, I certify that I have read 5 C.F.R. § 2635, "Standards of Ethical Conduct for Employees of the Executive Branch" paying particular attention to Subparts E and H, and I am in compliance with these regulations.

NOTE: Some of the important highlights related to outside activities/employment, which are included in these regulations, are noted below:

I understand that:

a) I cannot represent EPA nor can I use my official EPA title, except as in a list of biographical information.

b) I cannot use government resources (facilities, equipment, supplies, personnel, etc.) in the conduct or preparation of this outside activity, I must prepare for and perform the work totally on my own time and I cannot provide any materials that are available to me because of my position.

and certify that:

c) The subject matter of this outside activity does not deal in significant part to any matter to which I have been assigned during the previous year or any ongoing or announced policy, program or operation of the agency, i.e., I cannot use or provide information that is non-public or for which I have knowledge because of my EPA position.

d) The invitation to participate in this activity was not extended to me because of my official EPA position.

[FOIA Ex. 6]

Employee's signature

August 26, 1997
Date

2)

DEPUTY ETHICS OFFICIAL APPROVAL

APPROVAL

[Signature]

11/10/97
Date

DISAPPROVAL

Date

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09/10/97 18:48 09195410317

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copy of approved SF-71);

6) The basis for compensation (e.g., fee, per diem, per annum, etc.);

7) Identification of any assistance agreements or contracts held by the person to or for whom services will be provided.

* Employment means any form of non-Federal employment, business relationship, or activity involving the provision of personal services by the employee, whether or not for compensation. It includes but is not limited to personal services as an officer, director, employee, agent, attorney, consultant, contractor, general partner, trustee, teacher or speaker. It includes writing when done under an arrangement with another person for production or publication of the written product. It does not, however, include participation in the activities of a nonprofit charitable, religious, professional, social, fraternal, educational, recreational, public service, or civic organization, unless activities are for compensation other than reimbursement for expenses.

**Compensation includes any form of consideration, remuneration or income, including royalties, given for or in connection with employee's speaking or writing activities. Unless accepted under specific statutory authority, such as 31 U.S.C. 1353, 5 U.S.C. 4111 or 7342, or an agency gift acceptance statute, it includes transportation, lodging and meals, whether provided in kind, by purchase of a ticket, by payment, in advance or by reimbursement after the expense has been incurred.

1)

EMPLOYEE CERTIFICATION

a) I certify that the information contained in this request is complete and accurate and that I have provided all the information pertinent for the Deputy Ethics Official to make an informed decision on this matter.

b) I certify that I have read, am familiar with, and will abide by the restrictions described in 5 C.F.R. part 2635 and § 6401.102;

c) I certify that no official duty time or Government property, resources, or facilities not available to the general public will be used in connection with this outside employment/activity.

d) I certify that if there is a change in the scope of the duties or services performed or the nature of my business, I will submit a revised request for approval.

e) I certify that I will not represent EPA nor will I use my official EPA title, except as in a list of biographical information, in which case my EPA title is given no more prominence than other significant biological details.

For teaching, speaking or writing, also include the following certifications:

f) I certify that the invitation to engage in this activity was extended to me primarily because of my expertise in this particular subject matter and not because of my official position. ✓

g) I certify that the invitation to engage in this activity or the offer of compensation was not extended to me, directly or indirectly, by a person who has interests that may be affected substantially by the performance or non-performance of my duties. ✓

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09/11/97 09:15 919 541 0842
09/10/97 16:48 9195410317

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h) I certify that the information conveyed through this activity does not draw substantially on ideas or official data that are nonpublic information; the subject does not deal in significant part with any matter to which I am currently assigned (working on as an EFA employee) or have been assigned during the previous one-year period or any ongoing or announced policy, program, or operation of the agency.

i) I certify that I will not use or permit the use of my official title or position to identify me in connection with this activity or to promote any book, seminar, course, program or similar undertaking except as one of several biographical details in connection with an article published in a scientific or professional journal, provided that the title or position is accompanied by a reasonably prominent disclaimer indicating that the views expressed do not necessarily represent the views of the agency or the US.

[FOIA Ex. 6]

Employee's signature

9/11/97

Date

2)

DEPUTY ETHICS OFFICIAL APPROVAL

APPROVAL

see attached

Date

DISAPPROVAL

Date

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revised 9/11/96



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
NATIONAL HEALTH AND ENVIRONMENTAL EFFECTS
RESEARCH LABORATORY
RESEARCH TRIANGLE PARK, NC 27711

OFFICE OF
RESEARCH AND DEVELOPMENT

DATE: November 13, 1995

SUBJ: Request for Approval to Engage in Outside Employment
or Other Outside Activity

NHEERL (MD-51A)

Ph.D. *John A.*

TO: Lawrence W. Reiter, Deputy Ethics Official
NHEERL (MD-51)

As required by 40 CFR, § 3.508 and Subpart A, Appendix A, I am requesting your approval to participate in the outside activity described below. I understand that this approval must be obtained in advance of initiating this activity and is approved only as indicated below.

a) Employee's name, title and grade;
[FOIA Ex. 6], Assistant Laboratory Director for
Multimedia Programs, GM-15

b) Nature of the outside activity, including a full
description of the services to be performed and the
amount of compensation to be expected;

Co-teaching, with [FOIA Ex. 6], a course titled
"Health and Ecological Risk Assessment
From FOIA: John University of the Environment. The course
meets one night weekly for spring semester, 1996.
The compensation is expected to be [FOIA Ex. 6].

c) The name and business of the person or organization
for which the work will be done (in cases of self-
employment, indicate the types of services to be rendered
and estimate the number of clients or customers
anticipated during the next 6 months);
School of the Environment
[FOIA Ex. 6] University, [FOIA
Ex. 6]

d) The estimated time to be devoted to the activity;
(Please indicate exact dates if known)

The semester course meets 3 hours each Monday evening for 13 weeks from January through April, 1996 (approximately 1/3 of these classes to be taught by me). Estimated time devoted to the activity: 80 hours.

e) Whether the service will be performed entirely outside of normal duty hours (if not, estimate the number of hours of absence from work required; if annual leave is requested, please provide a copy of approved SF-71);

All class activities will be performed entirely outside of normal duty hours.

f) The assistance agreements or contracts involved, if the outside activity will involve consulting or professional services to institutions which have or may seek federal assistance or contracts.

None

* Compensation includes any form of consideration, remuneration or income, including royalties, given for or in connection with employee's speaking or writing activities. Unless accepted under specific statutory authority, such as 31 USC 1353, 5 USC 4111 or 7342, or an agency gift acceptance statute, it includes transportation, lodging and meals, whether provided in kind, by purchase of a ticket, by payment, in advance or by reimbursement after the expense has been incurred.

1)

EMPLOYEE CERTIFICATION

I certify that the information contained in this request is complete and accurate and that I have provided all the information pertinent for the DEO to make an informed decision on this matter. In addition, I certify that I have read 5 C.F.R. § 2635, "Standards of Ethical Conduct for Employees of the Executive Branch" paying particular attention to Subparts E and H, and I am in compliance with these regulations.

NOTE: Some of the important highlights related to outside activities/employment, which are included in these regulations, are noted below:

I understand that:

- a) I cannot represent EPA nor can I use my official EPA title, except as in a list of biographical information.
- b) I cannot use government resources (facilities, equipment, supplies, personnel, etc.) in the conduct or preparation of this outside activity.

and certify that:

- c) The subject matter of this outside activity does not deal in significant part to any matter to which I have been assigned during the previous year or any ongoing or announced policy, program or operation of the agency.
- d) The invitation to participate in this activity was not extended to me because of my official EPA position.

Employee's Signature

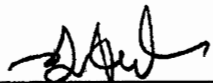
11/3/85

Date

2)

DEPUTY ETHICS OFFICIAL APPROVAL

APPROVAL



12/6/85

Date

DISAPPROVAL

Date



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
National Health and Environmental Effects Research Laboratory

OFFICE OF
RESEARCH AND DEVELOPMENT

MEMORANDUM

DATE: November 22, 1999

SUBJECT: Request for Approval to Engage in Outside Employment*
or Other Outside Activity

FROM: [FOIA Ex 6], Assistant RPCS/OD, Director
NHEERL(MD-51A)

TO: Lawrence W. Reiter (MD-51)
DEO for IO, NHEERL

THROUGH: Robert S. Dyer *Robert S. Dyer*
RPCS/OD, NHEERL

As required by Title 5 Chapter LIV Part 6401.103, I am requesting your approval to participate in the outside employment/activity described below. I understand that this approval must be obtained in advance of initiating or committing to the performance of this activity and is approved only as specified in the information given below.

Approval shall be granted in writing and only upon a determination that the outside employment is not expected to involve conduct prohibited by statute or Federal regulation, including 5 CFR part 2635 and SS 6401.102.

1) Employee's name, title and grade:

[FOIA Ex. 6], Assistant Director, GM-15

2) Nature of the outside activity, including a full description of the services to be performed and the amount of compensation to be expected; **

I have been elected as Councilor to the Society for Risk Analysis (SRA) for a term of 3 years (2000-2002). In this capacity I anticipate attending board meetings held during the annual meeting of SRA (which I typically have attended on official travel) and one or two other Board meetings during the year and conference calls for one to two hours monthly. Travel reimbursement is the only compensation expected, for those meetings I otherwise would

not have attended.

3) The name and business of the person or organization for which the work will be done (in cases of self-employment, indicate the types of services to be rendered and estimate the number of clients or customers anticipated during the next 6 months);

Society for Risk Analysis, a non-profit professional association.

4) The estimated time to be devoted to the activity; (Please indicate exact dates if known)

Average 4 hours per month.

5) Whether the service will be performed entirely outside of normal duty hours (if not, estimate the number of hours of absence from work required; if annual leave is requested, please provide a copy of approved SF-71);

Board meetings during the SRA annual meeting occur outside normal business hours. The time and dates for other meetings are not known but likely occur during work hours. I will request administrative leave to participate in SRA meetings occurring during normal duty hours and estimate this leave to average no more than 4 hours per month. For meetings requiring travel that I otherwise would not have attended I will request personal leave estimated at 16 hours per year.

6) The basis for compensation (e.g., fee, per diem, per annum, etc.);

Reimbursement for travel expenses including travel fare and per diem.

7) Identification of any assistance agreements or contracts held by the person to or for whom services will be provided.

None known.

* Employment means any form of non-Federal employment, business relationship, or activity involving the provision of personal services by the employee, whether or not for compensation. It includes but is not limited to personal services as an officer, director, employee, agent, attorney, consultant, contractor, general partner, trustee, teacher or speaker. It includes writing when done under an arrangement with another person for production or publication of the written product. It does not, however, include participation in the activities of a nonprofit charitable, religious, professional, social, fraternal, educational, recreational, public service, or civic organization, unless activities are for compensation other than reimbursement for expenses.

**Compensation includes any form of consideration, remuneration or income, including royalties, given for or in connection with employee's speaking or

writing activities. Unless accepted under specific statutory authority, such as 31 U.S.C. 1353, 5 U.S.C. 4111 or 7342, or an agency gift acceptance statute, it includes transportation, lodging and meals, whether provided in kind, by purchase of a ticket, by payment, in advance or by reimbursement after the expense has been incurred.

1)

EMPLOYEE CERTIFICATION

a) I certify that the information contained in this request is complete and accurate and that I have provided all the information pertinent for the Deputy Ethics Official to make an informed decision on this matter.

b) I certify that I have read, am familiar with, and will abide by the restrictions described in 5 C.F.R. parts 2635 and § 6401;

c) I certify that no official duty time or Government property, resources, or facilities not available to the general public will be used in connection with this outside employment/activity (unless otherwise stated above.)

d) I certify that if there is a change in the scope of the duties or services performed or the nature of my business, I will submit a revised request for approval.

e) I certify that I will not represent EPA nor will I use my official EPA title, except as in a list of biographical information, in which case my EPA title is given no more prominence than other significant biological details.

For teaching, speaking or writing, also include the following certifications:

f) I certify that the invitation to engage in this activity was extended to me primarily because of my expertise in this particular subject matter and not because of my official position.

g) I certify that the invitation to engage in this activity or the offer of compensation was not extended to me, directly or indirectly, by a person who has interests that may be affected substantially by the performance or non-performance of my duties.

h) I certify that the information conveyed through this activity does not draw substantially on ideas or official data that are nonpublic information; the subject does not deal in significant part with any matter to which I am currently assigned (working on as an EPA employee) or have been assigned during the previous one-year period or any ongoing or announced policy, program, or operation of the agency.

i) I certify that I will not use or permit the use of my official title or position to identify me in connection with this activity or to promote any book, seminar, course, program or similar undertaking except as one of several biographical details in connection with an article published in a scientific or professional journal, provided that the title or position is accompanied by a reasonably prominent disclaimer indicating that the views expressed do not necessarily represent the views of the agency or the US.

[FOIA Ex. 6]

Employee's signature

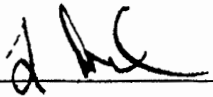
11/22/98

Date

2)

DEPUTY ETHICS OFFICIAL APPROVAL

APPROVAL





Date

DISAPPROVAL

Date

outsideact
revised 6/99

USEPA NCEA-RTP

Fax:919-541-5078

Dec 13 2004 16:29

P.02



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
National Center for Environmental Assessment

OFFICE OF
RESEARCH AND DEVELOPMENT

DATE: December 13, 2004

SUBJECT: Request for Approval to Engage in Outside Employment*
or Other Outside Activity

FROM: [FOIA Ex. 6], PhD
Associate Director for Health (8601D)

TO: Peter Preuss
Deputy Ethics Official (8601D)

As required by C.F.R. Title 5 Chapter LIV Part 6401.103, I am requesting your approval to participate in the outside employment/activity described below. I understand that this approval must be obtained in advance of initiating or committing to the performance of this activity and is approved only as specified in the information given below or for a period of five years.

Approval shall be granted in writing and only upon a determination that the outside employment is not expected to involve conduct prohibited by statute or Federal regulation, including 5 CFR part 2635 and § 6401.102.

[Note: Please do not delete or alter the information requested. Completely answer each item--do not answer "N/A"]

- 1) Employee's name, [FOIA Ex. 6]
title and grade; __Associate Director for Health, SL
- 2) Nature of the outside activity, including a full description of the services to be performed-- To participate in an Advisory Group that will plan a series of International Agency for Research on Cancer (IARC) monographs on air pollution. The EPA is mandated to develop emissions and ultimately health-based standards to protect public health from hazardous air pollutant exposures, and the evaluation of carcinogenic potential by IARC is of great importance to EPA's assessment. The purpose of participating in this meeting is to identify priority pollutants for IARC evaluation, hence directly benefitting the Agency's health-based mission. This meeting is of great importance to IARC in that the results of the meeting will directly inform decisions by IARC as to which pollutants to prioritize for their assessment.

USEPA NCEA-RTP

Fax:919-541-5078

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P.03

and the amount of compensation to be expected; ** \$2980.00 is cost estimate for airfare, domestic and foreign local transportation, meals, lodging.

3) The name and business of the person or organization for which the work will be done-

World Health Organization, International Agency for Research on Cancer _____

(in cases of self-employment, indicate the types of services to be rendered and estimate the number of clients or customers anticipated during the next 6 months); _____

4) The estimated time (hours/days) to be devoted to the activity; (Please indicate exact dates if known.) December 13, 2004 through December 19, 2004

5) Whether the service will be performed entirely outside of normal duty hours (yes or no) yes _____

(if no, estimate the number of hours of absence from work required; if leave is requested, please provide a copy of approved SF-71);

_____ SF-71 attached for 30 hours accrued annual leave

6) The basis for compensation (e.g., fee, per hour, per diem, per annum, etc.); _____
actual expenses for meeting-related travel, no honorarium or other compensation

7) Identification of any assistance agreements or contracts held by the person to or for whom services will be provided. (Must be answered-if not known by employee, please state so; if agreements or contracts are known, indicate the employee's involvement, if any.)

Not known by [FOIA Ex. 6] _____

USEPA NCEA-RTP

Fax:919-541-5078

Dec 13 2004 16:29

P.04

* Employment means any form of non-Federal employment, business relationship, or activity involving the provision of personal services by the employee, whether or not for compensation. It includes but is not limited to personal services as an **officer, director, employee, agent, attorney, consultant, contractor, general partner, trustee, teacher or speaker**. It includes writing when done under an arrangement with another person for production or publication of the written product. It does not, however, include participation in the activities of a nonprofit charitable, religious, professional, social, fraternal, educational, recreational, public service, or civic organization, unless activities are for compensation other than reimbursement for expenses.

**Compensation includes any form of consideration, remuneration or income, including royalties, given for or in connection with employee's speaking or writing activities. Unless accepted under specific statutory authority, such as 31 U.S.C. 1353, 5 U.S.C. 4111 or 7342, or an agency gift acceptance statute, it includes transportation, lodging and meals, whether provided in kind, by purchase of a ticket, by payment, in advance or by reimbursement after the expense has been incurred.

1) **EMPLOYEE CERTIFICATION**

a) I certify that the information contained in this request is complete and accurate and that I have provided all the information pertinent for the Deputy Ethics Official to make an informed decision on this matter.

b) I certify that I have read, am familiar with, and will abide by the restrictions described in 5 C.F.R. parts 2635 and § 6401;

c) I certify that no official duty time or Government property, resources, or facilities not available to the general public will be used in connection with this outside employment/activity (unless otherwise stated above.)

d) I certify that if there is a change in the scope of the duties or services performed or the nature of my business, I will submit a revised request for approval.

e) I certify that I will not represent EPA nor will I use my official EPA title, except as in a list of biographical information, in which case my EPA title is given no more prominence than other significant biological details.

For teaching, speaking or writing, also include the following certifications:

f) I certify that the invitation to engage in this activity was extended to me primarily

USEPA NCEA-RTP

Fax: 919-541-5078

Dec 13 2004 16:30

P.05

because of my expertise in this particular subject matter and *not because of my official position.*

g) I certify that the invitation to engage in this activity or the offer of compensation was *not* extended to me, directly or indirectly, by a person who has interests that may be affected substantially by the performance or non-performance of my duties.

h) I certify that the information conveyed through this activity does not draw substantially on ideas or official data that are nonpublic information; the subject does not deal in significant part with any matter to which I am currently assigned (working on as an EPA employee) or have been assigned during the previous one-year period or any ongoing or announced policy, program, or operation of the agency.

i) I certify that I will not use or permit the use of my official title or position to identify me in connection with this activity or to promote any book, seminar, course, program or similar undertaking except as one of several biographical details in connection with an article published in a scientific or professional journal, provided that the title or position is accompanied by a reasonably prominent disclaimer indicating that the views expressed do not necessarily represent the views of the agency or the US.

[FOIA Ex. 6]

Employee's signature

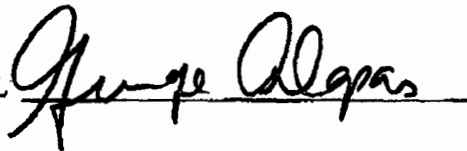
Date

12/13/04

2)

DEPUTY ETHICS OFFICIAL APPROVAL

APPROVAL



Date

12-14-04

DISAPPROVAL


Date


Application for Outside Activities

Applicant's Name: [FOIA Ex. 6] Office: ORA
Thru: NANCY GRANTHAM

Date Submitted: 12/16/2004
Status: ☐ Pending ☐ Rejected Status Date: 11/10/2005
☐ Concurred ☐ Withdrawn
☒ Approved ☐ Other

Application Memo: <---- Attach Memo Expiration: 11/10/2010

Conditions Memo: 
Outside Activity [FOIA Ex.6] Conditions.pdf <---- Attach Memo

Approval Memo: 
Outside Activity [FOIA Ex. 6] Approval.pdf <---- ch Memo

Please answer all questions:

Enter your current Job Description: Counsel for Special Projects

1. Nature of the outside activity/employment, including a full description of the services to be performed:
The nature of the outside activity would be the practice of law on a sporadic basis with no or nominal compensation.
2. Amount of compensation expected, if any:
I expect the vast bulk of this work will be without compensation. To the extent that I am compensated, it will be on a fee basis.
3. Name and business of the person or organization for which the work will be done (if you will be self-employed, indicate the type of services to be rendered and estimate the number of clients or customers anticipated during the next 6 months).
The type of services would include general legal services. The number of clients is estimated as three over the next 6 months.
4. Estimated time to be devoted to the activity:
5 hours per week
5. Indicate whether the service will be performed entirely outside of normal duty hours; if not, estimate the number of hours of absence from work required:
This will be performed entirely outside of normal duty hours
6. If the outside activity/employment will include consulting or professional services to institutions which have or may seek federal assistance agreements or contracts, please note the assistance agreements or contracts involved. Include full details of any service which involves preparing grant applications, contract proposals or program reports. Indicate the basis for compensation (e.g. fee, per diem, per annum, etc.):
n/a

7. Describe the basis for compensation (e.g , fee, per diem, per annum, etc.)

0

8. **Employee Statement:**

I have read, am familiar with, and will abide by the restrictions described in 5 CFR part 2635 and & 6401.102 No official duty time or government property, resources or facilities not available to the general public will be used in connection with the outside activity/employment.

☒ Agree ☐ Disagree

Application for Outside Activities

Applicant's Name: [FOIA Ex 6]
Thru: TIM WILLIAMSON

Office: ORA

Date Submitted: 09/04/2012

Status: ☐ Pending ☐ Rejected
☐ Concurred ☐ Withdrawn
☒ Approved ☐ Other

Status Date: 09/20/2012

Application Memo: <---- Attach Memo

Expiration: 09/20/2017

Conditions Memo:



Outside Activity [FOIA Ex 6] Conditions Memo.pdf <----
Attach Memo

Approval Memo:



Outside Activity [FOIA Ex 6] Approval.pdf <---- Attach
Memo

Please answer all questions:

Enter your current Job Description: attorney

1. Nature of the outside activity/employment, including a full description of the services to be performed:
Represent an inmate at a disciplinary hearing at [FOIA Ex. 6] Correctional Center
2. Amount of compensation expected, if any:
None
3. Name and business of the person or organization for which the work will be done (if you will be self-employed, indicate the type of services to be rendered and estimate the number of clients or customers anticipated during the next 6 months):
I will represent 1 client for the hearing and any administrative appeal.
4. Estimated time to be devoted to the activity.
20 hours
5. Indicate whether the service will be performed entirely outside of normal duty hours; if not, estimate the number of hours of absence from work required:
At present, all work would be performed outside normal work hours. If the hearing is scheduled on a work day (rather than a flex day) I will take annual leave
6. If the outside activity/employment will include consulting or professional services to institutions which have or may seek federal assistance agreements or contracts, please note the assistance agreements or contracts involved. Include full details of any service which involves preparing grant applications, contract proposals or program reports. Indicate the basis for compensation (e.g. fee, per diem, per annum, etc.):
N/A
7. Describe the basis for compensation (e.g., fee, per diem, per annum, etc.)
pro bono
8. **Employee Statement:**
I have read, am familiar with, and will abide by the restrictions described in

5 CFR part 2635 and & 6401 102. No official duty time or government property, resources or facilities not available to the general public will be used in connection with the outside activity/employment.

☒ Agree ☐ Disagree